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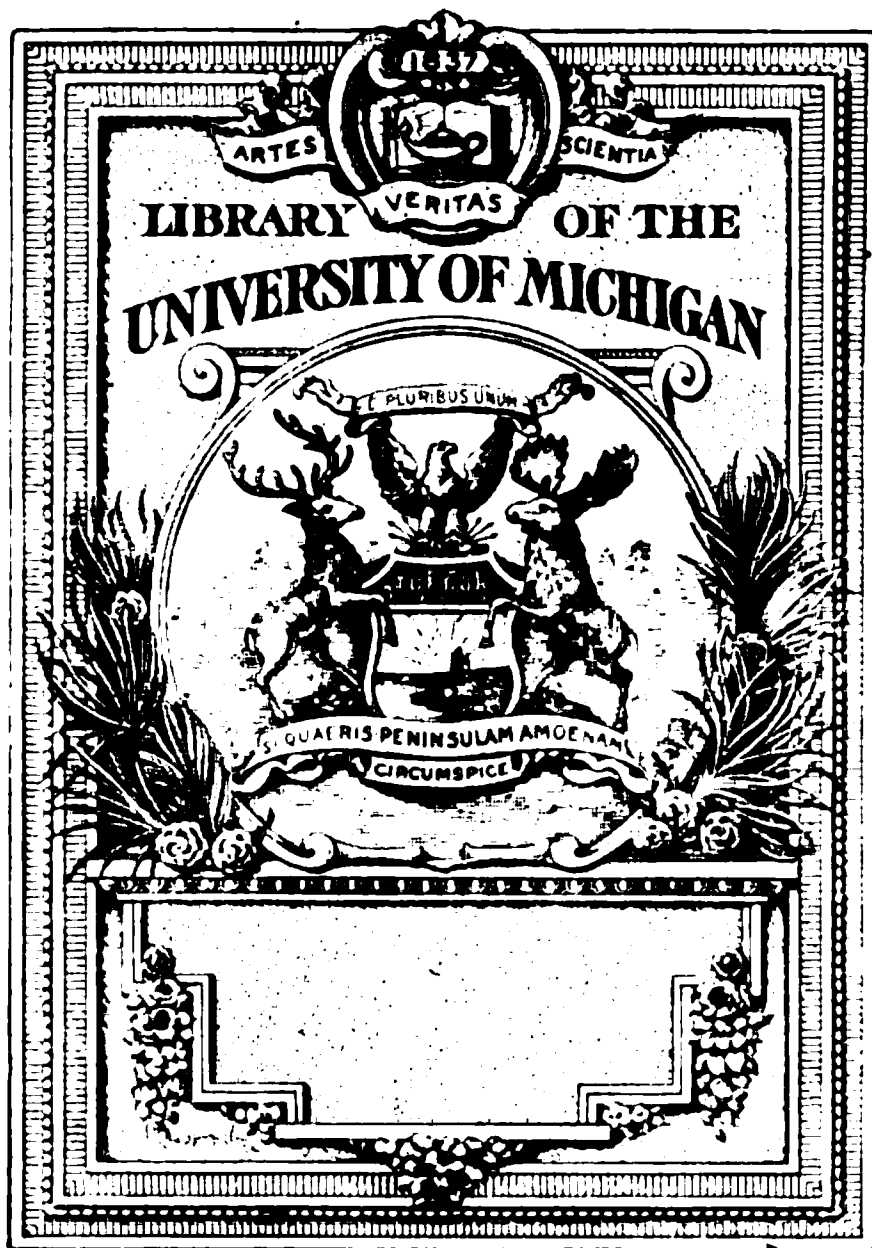
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THE
Journal of the House
OF THE
LEGISLATIVE ASSEMBLY
OF THE
STATE OF OREGON
FOR THE
SIXTEENTH REGULAR SESSION
1891.



SALEM, OREGON:
FRANK C. BAKER, STATE PRINTER.
1891.

OFFICERS OF THE HOUSE.

T. T. GEER	SPEAKER
R. R. HAYS	CHIEF CLERK
FRANK DAVEY	ASSISTANT CLERK
W. H. HAMPTON	ASSISTANT CLERK
J. C. C. LEWIS	ASSISTANT CLERK
G. O. HOLMAN	READING CLERK
T. O. HUTCHINSON	CALENDAR CLERK
J. M. STOTT	SERGEANT-AT-ARMS
A. M. DRAGER	DOORKEEPER
R. M. SMITH	ASSISTANT DOORKEEPER
C. A. PAGUE	MAIL CLERK
CARL GRAY	PAGE
CHESTER FOX	PAGE
GUY MCPHERSON	PAGE

MEMBERS OF THE HOUSE.

SIXTEENTH BIENNIAL SESSION—1891.

<i>Name.</i>	<i>P. O. Address.</i>	<i>County.</i>
Armstrong, Wm. -----	Salem -----	Marion
Baker, J. A. -----	Salem -----	Marion
Barrett, W. N. -----	Hillsboro -----	Washington
Barnes, E. W. -----	Wallowa -----	Wallowa
Blundell, J. E. -----	Canyonville -----	Douglas
Botkin, O. F. -----	East Portland -----	Multnomah
Butler, N. L. -----	Dallas -----	Polk
Crook, A. H. -----	Ellensburg -----	Curry
Coleman, E. P. -----	Coburg -----	Lane
Durham, S. A. -----	Tualatin -----	Washington
Dustin, C. S. -----	Long Creek -----	Grant
Fox, John -----	Astoria -----	Clatsop
Furry, Samuel -----	Phoenix -----	Jackson
Garfield, J. D. -----	Marshfield -----	Coos
Gambee, E. B. -----	Alba -----	Umatilla
Geer, T. T. -----	Macleay -----	Marion
Hardy, Edwin -----	Baker City -----	Baker
Hartman, E. M. -----	Marquam -----	Clackamas
Hansard, F. C. -----	Lebanon -----	Linn
Hall, John H. -----	East Portland -----	Multnomah
Henry, J. F. -----	Brownsville -----	Linn
Holmes, W. H. -----	Salem -----	Marion
Jennings, A. C. -----	Irving -----	Lane
Johnston, Geo. W. -----	Dufur -----	Wasco
Killian, J. L. -----	Vansycle -----	Umatilla
Lamson, H. W. -----	Willamina -----	Yamhill
Leeper, W. H. -----	Oakland -----	Douglas
Littig, Thos. T. -----	Malheur City -----	Malheur
Manning, S. A. -----	McMinnville -----	Yamhill
McCall, J. M. -----	Ashland -----	Jackson
McAlister, John -----	La Grande -----	Union
McCoy, E. O. -----	Grant -----	Sherman
McCraken, John -----	Portland -----	Multnomah
Meussdorffer, C. H. -----	East Portland -----	Multnomah

MEMBERS OF THE HOUSE—CONCLUDED.

<i>Name.</i>	<i>P. O. Address.</i>	<i>County.</i>
Merritt, J. W. -----	Central Point-----	Jackson
Moor, C. E. -----	Corvallis-----	Benton
Moore, J. C.-----	Greenville-----	Washington
Montgomery, J. B.-----	Portland-----	Multnomah
Morey, P. F.-----	Portland-----	Multnomah
Miller, H. B.-----	Grant's Pass-----	Josephine
Myer, G. W.-----	Dallas-----	Polk
Minto, John-----	Salem-----	Marion
Mulkey, W. J.-----	Olex-----	Gilliam
Paquet, Peter-----	Oregon City-----	Clackamas
Reed, A. W.-----	Gardiner-----	Douglas
Richey, J. S.-----	Milton-----	Umatilla
Shedd, C. J.-----	Shedd Station-----	Linn
Snider, A.-----	Lakeview-----	Lake
Starr, M. T.-----	Monroe-----	Benton
Stillwell, W. D.-----	Tillamook-----	Tillamook
Stewart, J. T.-----	Portland-----	Multnomah
Story, Geo. L.-----	Portland-----	Multnomah
Stephenson, T. J.-----	Liberty-----	Crook
Thompson, J. C.-----	Lexington-----	Morrow
Thomas, W. E.-----	Portland-----	Multnomah
Tracy, James A.-----	Logan-----	Clackamas
Welch, James W.-----	Astoria-----	Clatsop
Weed, Judson-----	Vernonia-----	Columbia
Wilkins, Jasper-----	Coburg-----	Lane
Wright, J. A.-----	Sparta-----	Union

HOUSE STANDING COMMITTEES.

- Elections*—Barrett, Welch, Hartman, Dustin, Killian.
Ways and Means—Paquet, Baker, Butler.
Education—Blundell, Armstrong, Henry.
Judiciary—Hall, Barrett, Thomas, Holmes, Butler.
Claims—McCall, Snider, Thompson.
Military—Thomas, Manning, McAlister.
Roads and Highways—Moor of Benton, Johnston, Coleman.
Engrossed Bills—Merritt, Hall, Garfield.
Enrolled Bills—Stewart, Blundell, Henry.
Indian Affairs—Snider, Durham, Stephenson.
Printing—Crook, Morey, Hardy.
Corporations—Story, Durham, Barnes.
Commerce—Fox, Montgomery, Manning, Holmes, Mulkey.
Counties—Weed, Reed, Jennings, Mulkey, Garfield.
Federal Relations—Armstrong, Leeper, Shedd.
Mining—Wright, Littig, Furry.
Agriculture—Minto, Moor of Benton, Killian.
Alcoholic Traffic—Lamson, Meussdorffer, Hansard.
Railroads and Transportation—Miller, McCoy, McCracken, Starr, Barnes.
Assessment—McCoy, Minto, Tracy, Wilkins, Gambee.
Public Buildings—Johnston, Botkin, Myers.
Internal Improvements—Moore of Washington, Story, Richey.
Fishing—Reed, Stillwell, Crook, Fox, Coleman.
Public Lands—Jennings, Miller, Gambee.

HOUSE JOURNAL.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 12, 1891. }

This being the day fixed by the law of the state of Oregon for the meeting of the legislative assembly, the members of the house of representatives of the sixteenth legislative assembly of the state of Oregon met in the hall of the house this Monday, January 12, 1891, at 11 o'clock A. M., and were called to order by Hon. J. T. Gregg, chief clerk of the house at the regular session of the fifteenth legislative assembly.

On motion of Mr. Blundell, Hon. E. O. McCoy of Sherman county was chosen temporary speaker.

Mr. John Fox placed in nomination R. R. Hays, and A. H. Crook placed in nomination G. O. Holman for the position of temporary chief clerk.

R. R. Hays having received a majority of all the votes cast, was declared duly elected temporary chief clerk.

On motion of Mr. Armstrong, Frank Davey was unanimously chosen first assistant temporary chief clerk.

On motion of Mr. Hall, the temporary speaker appointed a committee of five on credentials as follows:

Messrs. C. E. Moor of Benton, Jennings of Lane, Richey of Umatilla, Stillwell of Tillamook, Dustin of Grant.

On motion of Mr. Paquet, the house took a recess until 3 o'clock P. M.

AFTERNOON SESSION.

The house was called to order by Temporary Speaker McCoy.

The committee on credentials reported through Chairman Moor as follows:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 12, 1891. }

Mr. Speaker:

We, your committee on credentials, would respectfully report the following persons entitled to seats in the house, to wit:

Baker county—Edwin Hardy.
Benton—C. E. Moor, M. T. Starr.
Clackamas—Peter Paquet, E. M. Hartman, J. M. Tracy.
Clatsop—James W. Welch, John Fox.
Columbia—Judson Weed.
Coos—J. D. Garfield.
Coos and Curry—A. H. Crook.
Crook—T. J. Stephenson.
Douglas—J. E. Blundell, A. W. Reed, W. H. Leeper.
Gilliam—W. J. Mulkey.
Grant and Harney—C. S. Dustin.
Jackson—J. W. Merritt, Samuel Furry, J. M. McCall.
Josephine—H. B. Miller.
Klamath and Lake—A. Snider.
Lane—Jasper Wilkins, A. C. Jennings, E. P. Coleman.
Linn—C. J. Shedd, F. C. Hansard, J. F. Henry.
Malheur—Thomas B. Littig.
Marion—T. T. Greer, W. H. Holmes, J. A. Baker, Wm. Armstrong, John Minto.
Morrow—J. C. Thompson.
Multnomah—John H. Hall, J. B. Montgomery, John McCracken, W. E. Thomas, P. F. Morey, Geo. L. Story, O. F. Botkin, C. H. Meussdorffer, J. T. Stewart.
Polk—N. L. Butler, G. W. Myers.
Sherman and Wasco—E. O. McCoy, Geo. W. Johnston.
Tillamook and Yamhill—W. D. Stillwell.
Umatilla—J. S. Richey, J. L. Killian, E. B. Gambee.
Union—John McAlister, J. A. Wright.
Wallowa—E. W. Barnes.
Washington—J. C. Moore, S. A. Durham, W. N. Barrett.
Yamhill—H. W. Lamson, S. A. Manning.

C. E. MOOR, Chairman.
WM. D. STILLWELL,
J. S. RICHEY,
C. S. DUSTIN,
A. C. JENNINGS,
Committee.

On motion of Mr. Thomas, the report of the committee on credentials was adopted.

On motion of Mr. Paquet, a committee of two was appointed by the temporary speaker to wait upon the secretary of state and invite him within the bar of the house, to administer the oath of office to the members.

Messrs. Morey and Jennings were so appointed, and in a short time they returned, accompanied by secretary of state Geo. W. McBride, who administered the oath to the members, each one of whom signed the same.

On motion of Mr. Paquet, a committee of three on permanent organization was appointed.

The temporary speaker named Messrs. Paquet, Blundell and Crook as such committee.

Said committee, through chairman Paquet, made report as follows:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 12, 1891. }

Mr. Speaker:

We, your committee on permanent organization, beg leave to report the following order of election of officers:

First—A speaker.

Second—A chief clerk.

Third—An assistant clerk.

Fourth—A reading clerk.

Fifth—A calendar clerk.

Sixth—A sergeant-at-arms.

Seventh—A doorkeeper.

Eighth—An assistant doorkeeper.

Ninth—Three pages.

P. PAQUET,
J. E. BLUNDELL,
A. H. CROOK,
Committee.

On motion of Mr. Hall, the report was adopted.

For speaker, Mr. Paquet placed in nomination Hon. T. T. Geer of Marion county.

Mr. Butler placed in nomination Hon. E. P. Coleman of Lane county.

The roll was called and those voting for Mr. Geer were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Coleman,

Crook, Durham, Fox, Hall, Hartman, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Paquet, Reed, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright—40.

Those voting for Mr. Coleman were:

Messrs. Barnes, Butler, Dustin, Furry, Gambee, Garfield, Geer, Hansard, Hardy, Henry, Holmes, Killian, McAlister, Myer, Mulkey, Richey, Shedd, Stephenson and Thompson—19.

Absent—Mr. McCracken—1.

Mr. Geer having received a majority of all the votes cast, was duly elected speaker.

On motion of Mr. Story, a committee of three was appointed to conduct Mr. Geer to the chair.

Temporary Speaker McCoy named Messrs. Story, Paquet and Miller as such committee.

The speaker-elect was conducted to his seat, and the secretary of state administered to him the oath of office.

For chief clerk, Mr. Merritt placed in nomination R. R. Hays of Tillamook county.

Mr. Shedd named O. P. Coshow of Linn county.

The roll was called and those voting for Mr. Hays were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Crook, Durham, Fox, Hall, Hartman, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Paquet, Reed, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—41.

Those voting for Mr. Coshow were:

Messrs. Barnes, Coleman, Butler, Dustin, Furry, Gambee, Garfield, Hansard, Hardy, Henry, Holmes, McAlister, Myer, Mulkey, Richey, Shedd, Stephenson and Thompson—18.

Absent—Mr. McCracken—1.

Mr. Hays having received a majority of all votes cast, was declared duly elected to the office of chief clerk.

For first assistant clerk, Mr. Merritt placed in nomination Frank Davey of Marion county.

Mr. Holmes placed in nomination John O'Shea of Marion county.

The roll was called and those voting for Mr. Davy were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Crook, Durham, Fox, Hall, Hartman, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey,

Paquet, Reed, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—40.

Those voting for Mr. O'Shea were:

Messrs. Barnes, Coleman, Butler, Dustin, Furry, Gambee, Garfield, Hansard, Hardy, Henry, Holmes, Killian, McAlister, Myer, Mulkey, Richey, Shedd, Stephenson and Thompson—19.

Absent—Mr. McCracken—1.

Frank Davy having received a majority of all the votes cast, was declared duly elected first assistant clerk.

For reading clerk, Mr. Merritt nominated G. O. Holman of Multnomah.

There being no other candidates named, the roll was called, and those voting for Mr. Holman were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meusdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Not voting—Mr. Barnes—1.

Absent—Mr. McCracken—1.

Mr. Holman having received a majority of all the votes cast, was declared duly elected reading clerk.

For calendar clerk, Mr. Merritt placed in nomination T. O. Hutchinson of Douglas county.

There being no other nominations, the roll was called and those voting for Mr. Hutchinson were:

Messrs. Armstrong, Barnes, Barrett, Blundell, Botkin, Coleman, Crook, Butler, Durham, Dustin, Fox, Furry, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meusdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Not voting—Mr. Gambee—1.

Absent—Messrs. Baker, McCracken and Stephenson—3.

Mr. Hutchinson having received a majority of all the votes cast, was declared duly elected to the office of calendar clerk.

For sergeant-at-arms, Mr. Merritt placed in nomination J. M. Stott of Multnomah county.

There being no further nominations, the roll was called and those voting for Mr. Stott were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Crook, Butler, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—59.

Absent—Mr. McCracken—1.

Mr. Stott having received a majority of all the votes cast, was declared duly elected to the office of sergeant-at-arms.

For the office of doorkeeper, Mr. Stott placed in nomination Mr. A. W. Drager of Marion county.

There being no further nominations, the roll was called and those voting for Mr. Drager were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Coleman, Crook, Butler, Durham, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Absent—Messrs. Blundell, Dustin and McCracken—3.

Mr. Drager having received a majority of all the votes cast, was declared duly elected to the office of doorkeeper.

For the office of assistant doorkeeper, Mr. Merritt placed in nomination R. M. Smith of Polk county.

There being no further nominations, the roll was called and those voting for Mr. Smith were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Absent—Messrs. Littig, McCoy and McCracken—3.

Mr. Smith having received a majority of all the votes cast, was declared duly elected to the office of assistant doorkeeper.

On motion of Mr. Jennings, it was ordered that in voting for the election of pages the house vote for three at once.

Mr. Merritt placed in nomination Masters Guy McPherson, Chester Fox and Carl Gray.

Mr. Killian placed in nomination Masters Henry Conoyer, Willie Batchellor and Carl Gray.

Mr. Thompson placed in nomination Masters Joseph Basey, Lloyd L. Scott and Carl Gray.

Mr. Butler placed in nomination Masters Emmett Cospers and Otis C. Beck.

The roll was called.

Those voting for Masters McPherson, Fox and Gray were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Crook, Durham, Fox, Furry, Hall, Hardy, Hartman, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Paquet, Reed, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—43.

Mr. Coleman voted for Masters Conoyer, McPherson and Gray.

Mr. Butler voted for Masters Cospers, McPherson and Gray.

Mr. Dustin voted for Masters Basey, Conoyer and Farrans.

Mr. Gambee voted for Masters Conoyer, Batchelor and Gray.

Mr. Garfield voted for Masters Conoyer, McPherson and Fox.

Mr. Hansard voted for Masters McPherson, Batchelor and Scott.

Mr. Henry voted for Masters McPherson, Conoyer and Gray.

Mr. Holmes voted for Masters Conoyer, Batchelor and Gray.

Mr. Killian voted for Masters Conoyer, Batchelor and Gray.

Mr. McAlister voted for Masters McPherson, Cospers and Gray.

Mr. Myer voted for Masters McPherson, Cospers and Gray.

Mr. Mulkey voted for Masters Batchelor, Cospers and Gray.

Mr. Richey voted for Masters McPherson, Conoyer and Gray.

Mr. Shedd voted for Masters McPherson, Conoyer and Gray.

Mr. Stephenson voted for Masters McPherson, Fox and Conoyer.

Mr. Thompson voted for Masters Basey, Scott and Gray.

Absent—Mr. McCracken—1.

Masters Guy McPherson, Chester Fox, and Carl Gray having each received a majority of all the votes cast, they were declared duly elected pages of the house.

Mr. Paquet introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 1.

Resolved, That the secretary of state is hereby authorized to furnish each member of this house with a copy of the general laws of the state of Oregon, as annotated by W. Lair Hill; a copy of the session laws of the fifteenth biennial session, and also a copy of the house and senate journals of the last regular session of the legislative assembly of the state of Oregon.

Resolution adopted.

Mr. Armstrong introduced the following resolution, and its adoption was moved:

HOUSE RESOLUTION NO. 2.

Resolved, That the ministers of the different denominations of this city be and they are hereby invited to open the morning sessions with prayer, they making their own arrangements.

Resolution adopted.

Mr. McCoy introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 3.

Resolved, That the secretary of state be and he is hereby instructed to furnish 200 two-cent stamps and 100 newspaper wrappers to each member and officer of this house.

Resolution adopted.

Mr. Thomas introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 4.

Resolved, That the reporters of the various newspapers of the state be invited to seats within the bar of the house, and that the sergeant-at-arms be instructed to provide for their convenience and also to provide stationery for them.

Resolution adopted.

The following resolution was presented by Mr. McCoy, who moved its adoption:

HOUSE RESOLUTION NO. 5.

Resolved, That each member and officer of the house be furnished four copies of such daily or weekly newspapers as he may select during the session.

Resolution adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 13, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has effected a permanent organization with the following officers:

Joseph Simon, president.

O. P. Miller, chief clerk.

C. B. Watson, assistant clerk.

J. B. Eddy, reading clerk.

M. Pomeroy, sergeant-at-arms.

J. H. McCormick, doorkeeper.

Carl Nicklin and Lynn Y. Keady, pages.

J. A. Ryan, mailing clerk.

The senate is now ready for the transaction of business.

O. P. MILLER,
Chief clerk.

The oath of office was administered to the chief clerk, first assistant clerk, reading clerk, and calendar clerk, and the three pages of the house.

On motion, the house adjourned to Tuesday, January 13, 1891, at 10 o'clock A. M.

R. R. HAYS,
Chief clerk.

TUESDAY, JANUARY 13, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 13, 1891. }

The house was called to order, pursuant to adjournment, at 10 o'clock A. M., Speaker Geer in the chair.

The roll was called.

All members present except Messrs. McCracken, Montgomery and Story.

The session was opened with prayer by Rev. H. H. Brown of Salem.

The journal of the house for Monday, January 12, was read, and

the clerk instructed to insert the name of Merritt instead of Miller in making nominations for permanent officers; also to substitute "legislative assembly" for "general assembly."

After which the journal was duly approved.

Mr. Barrett introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 6.

Resolved, That the secretary of state be authorized to furnish each member of this house and the four clerks with volumes 18 and 19 of the Oregon Supreme Court Reports.

Resolution adopted.

Mr. Crook introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 7.

Resolved, That the speaker be and he is hereby authorized to appoint a suitable person to act as mail carrier, whose duty it shall be to distribute mail in the house.

Resolution adopted.

On motion of Mr. Thomas, the rules of last regular session were adopted as the rules for this session.

On motion of Mr. Paquet, the secretary of state was requested to furnish 150 copies of the rules of the last session for the use of the house.

INTRODUCTION AND READING OF BILLS.

Mr. Jennings introduced house bill No. 1:

"A bill for an act to create the office of precinct assessor and fix his compensation; to abolish the office of county assessor and to amend sections two thousand four hundred and fifty-six (2456), two thousand four hundred and fifty-nine (2459), two thousand four hundred and eighty-two (2482), two thousand seven hundred and fifty-two (2752), two thousand seven hundred and fifty-five (2755), as amended at session of 1889; two thousand seven hundred and sixty (2760), two thousand seven hundred and sixty-two (2762), two thousand seven hundred and sixty-seven (2767), two thousand seven hundred and seventy-seven (2777), and two thousand seven hundred and seventy-eight (2778), of the laws of Oregon, as compiled and annotated by William Lair Hill."

Mr. Jennings moved that the rules be suspended and the bill read the first time by title.

Those voting aye were:

On this question the roll was called and the vote was:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Mr. McCracken—1.

Not voting—Mr. Wilkins—1.

So the rules were suspended, the bill read the first time by title and passed to its second reading without question.

Mr. Thomas introduced house bill No. 2:

“A bill for an act making an appropriation from the general fund of this state and transferring the same to the military fund for the purpose of making up the deficiency in said fund caused by the six months of active operation of the military act before the military tax became available; also for the purchase of tents, cooking and other necessary camp equipments and for rations for the use of the Oregon national guard in annual encampment.”

Mr. Thomas moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Mr. McCracken—1.

Not voting—Mr. Montgomery—1.

So the rules were suspended, the bill read the first time by title and passed to its second reading without question.

Mr. Richey introduced house bill No. 3:

“A bill for an act to create Wilbur county, and fix the salary of county judge, county treasurer and stock inspector thereof.”

Mr. Richey moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—59.

Nays—None.

Absent—Mr. McCracken—1.

So the rules were suspended, the bill read the first time by title, and passed to its second reading without question.

Mr. Gambee introduced house bill No. 4:

“A bill for an act to amend section 4088 of the general laws of Oregon, as compiled and annotated by W. Lair Hill, relating to road work.”

The bill was read the first time and passed to its second reading without question.

Mr. Gambee introduced house bill No. 5:

“A bill for an act to amend section 4063, chapter 76, title 1, of the general laws of Oregon, as compiled and annotated by Wm. Lair Hill, relating to county road notices.”

The bill was read the first time and passed to its second reading without question.

Mr. Gambee introduced house bill No. 6:

“A bill for an act to create the office of county sealer of weights and measures, and defining the duties of the state treasurer thereto.”

Mr. Gambee moved that the rules be suspended and the bill read the first time by title.

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—59.

Nays—None.

Absent—Mr. McCracken—1.

So the rules were suspended, the bill read the first time by title and passed to its second reading without question.

Mr. Gambee introduced house bill No. 7:

"A bill for an act to provide for the assessment and collection of taxes, and to repeal an act to amend an act entitled an act to amend an act entitled an act relating to assessors, passed January 26, 1854[?]; and an act amendatory thereof, passed January 26, 1855[?], approved October 24, 1864; and an act amendatory thereof, approved December 19, 1865; approved October 29, 1874; also an act to amend section 2758 of title 3 of chapter 17 of the annotated laws of Oregon of 1887; also an act to amend sections 2729 and 2733, title 1, chapter 17, of the annotated laws of Oregon of 1887, relating to property and polls subject to assessment and taxation; also an act to amend section 2364, title 1, chapter 11, of the annotated laws of Oregon of 1887; also an act to amend section 2752, title 3, chapter 17, of the annotated laws of Oregon of 1887, relating to the assessment of property and the levy and collection of taxes; also section 6 of an act to amend sections 2, 3, 4, 5, 6, 7 and 8, and to repeal section 10 of an act approved October 29, 1874, entitled an act to repeal sections 2 and 4 of an act approved October 23, 1872, entitled an act to repeal chapter 18 of the general laws concerning fees of officers; and to amend an act entitled an act to amend chapter 18 of the general laws concerning fees of officers, approved October 24, 1870; and section 12 of an act approved October 24, 1864, entitled an act to prescribe the fees of certain officers and persons; and section 4 of an act approved January 12, 1859, entitled an act to amend an act entitled an act to regulate the fees of certain officers and other persons; and section 1 of an act approved October 12, 1864, entitled an act to fix the legal distances from the several county seats in this state to the penitentiary at the city of Portland, and regulate the fees of sheriffs for conveying convicts to the penitentiary; and all of an act approved October 29, 1870, entitled an act to regulate the fees of officers in certain counties; and all of an act approved October 28, 1872, entitled an act to amend an act entitled an act to regulate fees of certain officers in certain counties; and to amend section 5 of an act approved October 21, 1864, entitled an act to amend an act entitled an act to provide for the collection of taxes; and to repeal an act approved October 19, 1860, and to prescribe the fees of clerks and sheriffs, approved October 26, 1882; also an act to define the terms land and real property for the purpose of taxation, and to provide where the same shall be assessed and taxed, and to declare what instruments whereby land and real property is made security for the payment of a debt shall be void; and to repeal section 2730, chapter 17, of the annotated laws

of Oregon of 1887; also an act to amend section 10 of an act entitled an act to define the terms land and real property for the purpose of taxation, and to provide where the same shall be assessed and taxed, and to declare what instruments whereby land or real property is made security for the payment of a debt shall be void, and repeal section 2730, title 1, chapter 17, of the annotated laws of Oregon of 1887; also an act exempting firemen from certain duties and taxes, approved February 20, 1885; also an act to prescribe manner for receipting for taxes, and to amend section 2796, title 6, chapter 17, of the annotated laws of Oregon of 1887; also an act to amend section 4085, title 1, chapter 76, of the annotated laws of Oregon of 1887; also an act empowering the governor, secretary of state and state treasurer to compute and declare the amount of the state levy of taxes, and to apportion the same among the several counties of the state, and to repeal all acts and parts of acts in conflict therewith, approved February 26, 1885; also an act providing for the assessment and collection of taxes upon the rolling stock of railroad companies, and to repeal section 2744, title 2, chapter 17, of the annotated laws of Oregon of 1887; also an act passed at the extra session in 1885, approved November 25, 1885, amending section 6 of an act relating to the fees of certain officers and persons, and printed in the laws of the special session for that year, on page 23 of said book; also an act to amend section 4 of an act entitled an act empowering the governor, secretary of state and state treasurer to compute and declare the amount of the state levy of taxes, and to apportion the same among the several counties of the state, and to repeal all acts and parts of acts in conflict therewith, approved February 26, 1885; to provide for the levy of county taxes, and to render valid county levy for the fiscal year 1885; and to repeal all other acts and parts of acts in conflict or inconsistent with this act."

Mr. Gambee moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story,

Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—59.

Nays—None.

Absent—Mr. McCracken—1.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without question.

Mr. Stewart introduced house bill No. 8:

“A bill for an act to incorporate the city of East Portland, and to repeal an act entitled an act to incorporate the city of East Portland, and to repeal an act entitled an act to incorporate the city of East Portland, approved October 26, 1870, approved February 24, 1885.”

Mr. Stewart moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Mauning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Not voting—Mr. Blundell—1.

Absent—Mr. McCracken—1.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without question.

Mr. Killian introduced house bill No. 9:

“A bill for an act to protect the employes of private corporations as to the time and manner of collecting their wages.”

The bill was read the first time and passed to its second reading without question.

Mr. Paquet introduced house bill No. 10:

“A bill for an act to provide for the recording of wills.”

The bill was read the first time and passed to second reading without question.

Mr. Durham introduced house bill No. 11:

“A bill for an act to establish a library for the use of the convicts in the state penitentiary, and to appropriate money therefor.”

The bill was read the first time and passed to its second reading without question.

Mr. Merritt introduced house bill No. 12:

"A bill for an act to amend section 1 of an act entitled an act to incorporate the town of Central Point, Jackson county, state of Oregon, filed in the office of the secretary of state February 25, 1889."

The bill was read the first time and passed to its second reading without question.

Mr. Weed introduced house bill No. 13:

"A bill for an act to incorporate the city of Vernonia in the county of Columbia, state of Oregon."

Mr. Weed moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Not voting—Mr. Montgomery—1.

Absent—Mr. McCracken—1.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without question.

Mr. Barnes introduced house bill No. 14:

"A bill for an act to tax stock temporarily grazed or pastured."

Mr. Barnes moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Mr. McCracken—1.

Not voting—Messrs. McCoy and Montgomery—2.

So the rules were suspended, the bill read the first time by title and passed to a second reading without question.

Mr. Moor of Benton introduced house bill No. 15:

"A bill for an act to provide for the display of Oregon's resources at the World's Columbian Exposition, to be held at Chicago, Ill., in 1893."

The bill was read the first time and passed to a second reading without question.

Mr. Hall introduced house bill No. 16:

"A bill for an act authorizing the county of Multnomah to construct, maintain and operate a bridge across the Willamette river between the city of Portland and East Portland, in Multnomah county, state of Oregon."

The bill was read the first time and passed to a second reading without question.

Mr. Story introduced house bill No. 17:

"A bill for an act supplementary to and amendatory of an act entitled an act to amend an act entitled an act to incorporate the city of Portland, approved October 24, 1882, and approved November 25, 1885."

The bill was read the first time and passed to its second reading without question.

Mr. Story moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—59.

Nays—None.

Absent—Mr. McCracken—1.

So the rules were suspended, the bill read a second time by title, and on motion of Mr. Story, referred to the representatives from Multnomah county, with leave to report at any time.

Mr. Story moved that house bill No. 17 be referred to the representatives from Multnomah county as a committee on the same, with leave to report thereon at any time.

The motion prevailed, and it was so ordered.

Mr. Thomas introduced house bill No. 18:

"A bill for an act to amend sections 3587 and 3591, and to repeal sections 3588, 3589, 3590 and 3594 of chapter 51 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill."

The bill was read the first time and passed to its second reading without question.

Mr. Miller introduced the following concurrent resolution, and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO. 1.

Resolved by the House, the Senate concurring:

That a committee of five, consisting of two senators and three representatives, be appointed to examine the books and accounts of the state treasurer, with power to employ necessary clerical aid.

Resolution adopted.

Mr. Jennings introduced the following concurrent resolution, and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO. 2.

Resolved by the House, the Senate concurring:

That a committee of three on the part of the house and two on the part of the senate be appointed to inform his excellency, the governor, that both houses are now organized and ready to receive any communication he may have to make.

Resolution adopted.

Mr. Armstrong introduced the following concurrent resolution, and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO. 3.

Resolved by the House, the Senate concurring:

That a committee of three from the house and two from the senate be appointed to visit the orphan's home, located in the city of Salem, and also the "Home," a like institution located in the city of Portland under the management of the Children's Aid Society, and report the same to both houses of the legislature.

Resolution adopted.

Mr. Thomas introduced house bill No. 19:

"A bill for an act to amend subdivision 9 of section 2414 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill."

The bill was read the first time and passed to its second reading without question.

Mr. Stephenson gave notice of his intention to introduce a bill at some future time for the incorporation of the city of Mitchell.

Mr. Thomas introduced house bill No. 20:

"A bill for an act to amend sections 37 and 122, and to repeal section 123 of an act entitled an act to incorporate the city of Portland, approved October 24, 1882, as amended by an act approved February 25, 1889, entitled an act to amend sections 13, 36, 37, 53, 56, 57, 69, 82, 83, 85, 86, 95, 102, 112, 113, 122, 123, 129, 149, 152 and 156 of an act entitled an act to incorporate the city of Portland, approved October 24, 1882, as amended by an act entitled an act to amend sections 1, 37, 95 and 159 of an act entitled an act to incorporate the city of Portland, approved October 24, 1882, and to repeal section 155 of said act, and all acts and parts of acts in conflict therewith, approved February 25, 1885, and to amend section 73 of an act to incorporate the city of Portland, as amended by an act entitled an act to incorporate the city of Portland, approved October 24, 1882, and to amend section 1 of an act entitled an act to incorporate the city of Portland, approved October 24, 1882, and to repeal section 155 of said act and all acts and parts of acts in conflict therewith, approved February 25, 1885, approved November 25, 1885, and to amend section 72 of an act to incorporate the city of Portland, approved October 24, 1882, approved November 21, 1885, and section 11 of an act entitled an act to establish a paid fire department for the city of Portland, approved October 9, 1882."

Mr. Thomas moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Mr. McCracken—1.

Not voting—Mr. Crook—1.

So the rules were suspended, the bill read the first time by title and passed to a second reading without question.

Mr. Story introduced house bill No. 21:

"A bill for an act to establish a state mining bureau, and create the office of state mineralogist and geologist in charge of the same."

Mr. Thomas moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Storey, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Not voting—Mr. Crook—1.

Absent—Mr. McCracken—1.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without question.

Mr. Welch introduced house bill No. 22:

"A bill for an act to amend an act entitled an act to regulate the sale of spirituous, malt and vinous liquors, and to prevent the sale thereof without having first obtained a license therefor, and to repeal all laws or parts of laws in conflict herewith, filed in the office of the secretary of state February 18, 1889."

The bill was read the first time and passed to its second reading without question.

Mr. Welch introduced house bill No. 23:

"A bill for an act to amend section 3505, title 3, Hill's annotated laws of Oregon."

The bill was read the first time and passed to its second reading without question.

Mr. Weed introduced house bill No. 24:

"A bill for an act to change the times of holding the terms of the county court of Columbia county."

The bill was read the first time and passed to second reading without question.

Mr. Jennings introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 8.

Whereas at the sessions of the legislature in the years 1887 and 1889, there were many committee clerks employed for whom no

work was found, resulting in great and needless expense to the state; therefore be it

Resolved, That the committees on assessment and taxation, engrossment, enrollment, judiciary, education, counties, and railways and transportation, be and are hereby authorized to employ such clerical assistance as may be necessary to secure efficient and prompt dispatch of such business as may come before them; and no other committee shall employ clerical aid without authority from the house.

Mr. Miller moved to strike out the "whereas" portion or preamble of the resolution.

The motion carried.

On motion of Mr. Fox, the house adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 13, 1891. }

The house was called to order at 2 P. M. by Speaker Geer.

The speaker appointed C. A. Pague as mail carrier for the house.

The speaker, under house concurrent resolution No. 1, appointed the following committee on the part of the house: Messrs. Miller, Hall and Butler.

The speaker, under house concurrent resolution No. 2, appointed the following committee on the part of the house: Messrs. Jennings, Merritt and Barnes.

The speaker, under house concurrent resolution No. 3, appointed the following committee on the part of the house: Messrs. Armstrong, Wright and Garfield.

Mr. Welch introduced the following amendment to house resolution No. 8:

AMENDMENT.

That all committees of this house be and they are hereby entitled to clerks when necessary, said clerk or clerks to be chosen by a majority vote of each and every committee.

Amendment carried.

On house resolution No. 8, as amended, the roll was called and the vote was:

Those voting aye were:

Messrs. Botkin, Butler, Crook, Durham, Fox, Hall, Hardy, Hartman, Johnston, Lamson, Littig, McCall, McCoy, Merritt, Meussdorffer,

Miller, Montgomery, Moore, Paquet, Richey, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch and Wright—30.

Nays—Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Coleman, Dustin, Furry, Gambee, Garfield, Hansard, Henry, Holmes, Jennings, Killian, Leeper, Manning, McAlister, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Reed, Shedd, Stephenson, Thompson, Wilkins, and Mr. Speaker—29.

Absent—Mr. McCracken—1.

So the resolution as amended was adopted.

Mr. Welch introduced the following concurrent resolution, and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO. 4.

Resolved by the House, the Senate concurring:

That a committee of three on the part of the house and two on the part of the senate be appointed to visit the state university, and report to their respective houses the general condition, management and needs of the same.

Resolution adopted.

Mr. Gambee introduced the following resolution, and moved its adoption:

HOUSE RESOLUTION NO. 9.

Resolved, That the committee clerks of this house shall be allowed pay only for the days they are actually employed in such service.

Resolution adopted.

Mr. Coleman introduced the following resolution, and moved its adoption:

HOUSE RESOLUTION NO. 10.

Resolved, That the state printer be and is hereby instructed to print three hundred copies of the rules of the house and joint rules of the house and senate, for the use of both houses.

Resolution adopted.

Mr. Montgomery, from the committee to whom was referred house bill No. 17, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 13, 1891. }

Mr. Speaker:

Your committee, the Multnomah county delegation, to whom was

referred house bill No. 17, entitled an act to amend an act to incorporate the city of Portland, approved October 24, 1882, and approved November 25, 1885, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. B. MONTGOMERY,
Chairman.

On motion of Mr. Montgomery, the report was adopted.

Mr. Hall introduced the following resolution, and moved its adoption:

HOUSE RESOLUTION NO. 11.

Resolved, That a committee of five be appointed by the chair to visit the Oregon insane asylum and farm connected therewith, and inspect the same and make report thereon.

Resolution adopted.

Mr. Wilkins introduced the following resolution, and moved its adoption:

HOUSE RESOLUTION NO. 12.

Resolved, That the sum of three dollars per day be allowed the clerks of the various committees.

Mr. Barnes moved to amend by saying three dollars to five dollars per day, according to the work performed and its importance; the same to be determined by a committee appointed by the chair.

Amendment adopted.

Mr. Hall moved to amend by leaving the power of fixing the per diem of the committee clerks as between three dollars and five dollars to the chairmen of the committees employing such clerks.

Mr. Armstrong moved that further consideration of the matter be indefinitely postponed.

Motion carried.

Mr. Paquet introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 13.

Resolved, That no municipal corporation bill shall be printed unless specially ordered by the house.

The resolution was adopted.

Mr. Paquet introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 14.

Resolved, That the sessions of this house be from the hours of 10 o'clock A. M. to 12 M., and from 2 o'clock P. M. to 5 P. M.

The resolution was adopted.

Mr. Jennings introduced house bill No. 25:

"A bill for an act to amend section 2608, title 4 of chapter 16, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, approved February 21, 1889."

The bill was read the first time and passed to second reading without question.

Mr. Johnston introduced house bill No. 26:

"A bill for an act to appropriate money to aid the county court of Wasco county in constructing a new grade over and across Tygh mountain on the wagon road leading from The Dalles to Barlow's gate in Wasco county."

The bill was read the first time and passed to second reading without question.

Mr. Coleman introduced house bill No. 27:

"A bill for an act to regulate and protect the dried fruit industry of the state of Oregon."

The bill was read the first time and passed to second reading without question.

Mr. Meussdorffer introduced house bill No. 28:

"A bill for an act to amend section 2 of an act approved November 25, 1885, entitled an act to amend an act entitled an act to incorporate the city of Portland, approved October 24, 1882; and to amend section 1 of an act entitled an act to amend sections 1, 37, 95 and 159 of an act entitled an act to incorporate the city of Portland, approved October 24, 1882; and to repeal section 155 of said act, and all acts and parts of acts in conflict therewith, approved February 25, 1885."

The bill was read the first time and passed to its second reading without question.

Mr. Meussdorffer introduced house bill No. 29:

"A bill for an act to protect parties who have loaned, hired or leased property by contract in writing."

The bill was read the first time and passed to its second reading without question.

Mr. Meussdorffer introduced house bill No. 30:

"A bill for an act providing for the filing of supplementary articles of incorporation of religious, benevolent, literary or charitable societies, or any society which shall have for its object the develop-

ment of the physical or mental capacities of its members, or the development of agriculture or mechanics."

The bill was read the first time and passed to its second reading without question.

Mr. Snider introduced house bill No. 31:

"A bill for an act to amend section three of an act approved February 25, 1889, entitled an act to amend sections 3350, 3351, 3353, 3354, 3362, and to repeal sections 3359, 3360 of title 1 of chapter 38 of the miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill."

The bill was read the first time and passed to its second reading without question.

Mr. Welch introduced house bill No. 32:

"A bill for an act entitled an act to fix the legal rate of interest in Oregon."

The bill was read the first time and passed to its second reading without question.

Mr. Garfield introduced house bill No. 33:

"A bill for an act to amend sections 2731 and 2732, title 1, and sections 2735, 2736 and 2737, title 2, chapter 17 of the miscellaneous laws of Oregon, as compiled and annotated by Wm. L. Hill."

Mr. Garfield moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Mr. McCracken—1.

Not voting—Mr. Crook—1.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without question.

Mr. Garfield introduced house bill No. 34:

"A bill for an act to authorize insurance indemnity surety to be taken in lieu of personal surety or deposit in cases where either is required under any statute of this state."

The bill was read the first time and passed to second reading without question.

Mr. Dustin introduced house bill No. 35:

"A bill for an act to incorporate the town of Long Creek, Grant county, Oregon."

Mr. Dustin moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Mr. McCracken—1.

Not voting—Messrs. Crook and Miller—2.

So the rules were suspended, the bill read the first time by title, and passed to second reading without question.

Mr. Barrett introduced house bill No. 36:

"A bill for an act to punish placing obstructions in streams and ditches."

The bill was read the first time and passed to second reading without question.

Mr. Richey introduced house bill No. 37:

"A bill for an act to incorporate Milton City, in Umatilla county, Oregon, and to define the powers thereof, and to repeal an act entitled an act to incorporate Milton City, approved November 24, 1885."

Mr. Richey moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Butler, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas,

Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Absent—Mr. McCracken—1.

Not voting—Messrs. Crook and Miller—2.

So the rules were suspended, the bill read the first time by title, and passed to second reading without question.

Mr. Meussdorffer introduced house bill No. 38:

“A bill for an act to authorize the cities of Portland and East Portland and Albina to construct, purchase or acquire by condemnation or other means, one or more bridges across the Willamette river between the city of Portland and the city of East Portland, in Multnomah county, Oregon, which bridge or bridges shall forever be free to all pedestrians and all classes of vehicles and traffic except railways and street railways.”

Mr. Meussdorffer moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Mr. McCracken—1.

Not voting—Messrs. Crook and Miller—2.

So the rules were suspended, the bill read the first time by title and passed to second reading without question.

Mr. Thompson introduced house bill No. 39:

“A bill for an act to provide for the completion of the county road from the town of Dayville, in Grant county, Oregon, to Haystack valley, in Grant county, Oregon, and to appropriate money therefor.”

The bill was read the first time by title and passed to second reading without question.

Mr. Thomas introduced house bill No. 40:

“A bill for an act to authorize the construction of a bridge across the Willamette river between the city of Portland and the city of East Portland, in Multnomah county, state of Oregon.”

The bill was read the first time and passed to second reading without question.

Mr. Butler introduced house bill No. 41:

"A bill for an act to provide for the election and qualification of road supervisors, and to establish road districts, and to define the boundaries thereof, and to repeal sections 4081 and 4082, title 1, chapter 54, of the general laws of Oregon, as compiled by W. Lair Hill."

The bill was read the first time and passed to a second reading without question.

Mr. Coleman introduced house bill No. 42:

"A bill for an act to amend sections 3587, 3591 and 3593, chapter 51, of the miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill, relating to interest and usury."

The bill was read the first time and passed to its second reading without question.

Mr. Merritt introduced house bill No 43:

"A bill for an act to provide for the construction of a wagon road from the town of Eagle Point, in Jackson county, Oregon, to Fort Klamath, in Klamath county, Oregon, and to appropriate money therefor."

Mr. Merritt moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Mr. McCracken—1.

Not voting—Messrs. Crook, Paquet and Shedd—3.

So the rules were suspended, the bill read the first time by title and passed to its second reading without question.

Mr. Minto introduced the following concurrent resolution and moved its adoption.

HOUSE CONCURRENT RESOLUTION NO. 5.

Whereas the original settlers of Oregon were encouraged in their enterprise in braving the dangers of the way and of superseding a British trade monopoly on the North Pacific slope of thirty-four

years' duration, namely, from 1814 to 1848, by liberal donations of land; and

Whereas subsequent to the settlement of Oregon and the acquisition of California, the business interests of the Pacific coast were greatly aided in rapid and safe development by liberal subsidies of public lands, both as aids to construction of railroads and by the homestead law; and

Whereas the results now manifest prove the wisdom of liberal national aid to private enterprise in securing vast additions to the national domain in making safe settled industrial life facing the Pacific ocean, and greatly contributing to the general prosperity by interstate lines of commerce; and

Whereas future development of Pacific coast industries would be promoted and the general welfare of the United States subserved by applying the same principles of encouragement and protection to lines of commerce and means of transit by sea as has proven effective on land; therefore be it

Resolved by the Legislative Assembly of the State of Oregon:

We strongly favor national aid in the building of steamships for mercantile use, of strength and speed sufficient for service in time of war, should the need arise, and for the enlistment and training of sailors to man such ships either in peace or in war.

Resolved, We favor the use of national aid to encourage by subsidies and liberal mail contracts the establishment of steam or sail ship lines of American ships direct from principal American ports to chief commercial foreign ports, especially to ports of Central and South America, Australia, China and Japan.

Resolved, We urge upon our senators and representative in congress to support by all honorable means the policy of the foregoing resolutions in regard to all classes of American shipping engaged in foreign commerce.

Resolved, Inasmuch as there is now pending in congress measures involving national aid to American shipping and commercial interests, the secretary of state is requested to forward copies of these resolutions to our senators and representative in congress immediately after its passage and signature by the president of the senate and speaker of the house.

Resolution adopted.

Mr. Stewart introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 15.

Resolved, That house bill No. 8, entitled an act to incorporate the city of East Portland, be and the same is hereby ordered printed in

regular order, and that sixty copies thereof only be struck off instead of 150, as provided by the rules of the house.

Resolution adopted.

Mr. Hail introduced the following joint resolution and moved its adoption:

HOUSE JOINT RESOLUTION NO. 1.

Resolved, That the secretary of state be instructed to purchase 100 copies of Hill's annotated laws of Oregon, for the use of the members of the senate and the house of representatives of the state of Oregon.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hardy, Hartman, Henry, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—51.

Nays—Messrs. Armstrong, Blundell, Crook, Furry, Hansard, Killian and Littig—7.

Absent—Mr. McCracken—1.

Not voting—Mr. Holmes—1.

Resolution adopted.

Mr. Botkin introduced house bill No. 44:

"A bill for an act to amend an act entitled an act to regulate the practice of medicine and surgery in the state of Oregon."

Mr. Botkin moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Mr. McCracken—1.

Not voting—Mr. Barnes—1.

So the rules were suspended, the bill read the first time by title, and passed to second reading without question.

Mr. Moor of Benton introduced the following concurrent resolution, and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO. 6.

Resolved by the House, the Senate concurring:

That a committee of five, three on the part of the house and two on the part of the senate, be appointed to examine the books of the superintendent of the Oregon penitentiary, and to inquire into the manner of the conduct of that institution and make due report of their investigations.

Resolution adopted.

Mr. McCoy introduced house bill No. 45:

"A bill for an act to prevent and punish the driving or herding of live stock along or near the public highways (not toll roads), and causing the same to be obstructed."

The bill was read the first time and passed to second reading without question.

Mr. Welch introduced house bill No. 46:

"A bill for an act to protect certain birds known as sea gulls."

The bill was read the first time and passed to second reading without question.

Mr. Welch introduced house bill No. 47:

"A bill for an act to provide for the improvement of the wagon road from Olney, in Clatsop county, to Greenville, in Washington county, via Mist and Vernonia, in Columbia county."

The bill was read the first time and passed to second reading without question.

Mr. Stillwell introduced house bill No. 48:

"A bill for an act to incorporate the city of Tillamook, in Tillamook county."

Mr. Stillwell moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thomp-

son, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Mr. McCracken—1.

Not voting—Messrs. Fox and Miller—2.

So the rules were suspended, the bill was read the first time by title, and passed to its second reading without question.

On motion of Mr. Jennings, it was ordered that 150 copies of house bill No. 17 be printed for the use of the members.

On motion of Mr. Moor of Benton, the house adjourned to Wednesday morning, January 14, 1891.

R. R. HAYS,
Chief clerk.

WEDNESDAY, JANUARY 14, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 14, 1891. }

House called to order at 10 o'clock A. M., Mr. Speaker in the chair.
The roll was called.

Messrs. Baker, Holmes, McCracken, Minto and Montgomery were absent.

The session was opened with prayer by Rev. J. B. Johnson of Salem.

On motion of Mr. Jennings, the reading of Tuesday's journal was dispensed with.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 13, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate concurrent resolution No. 2, that the senate and house meet in joint convention on Wednesday, January 14, 1891, at 10:30 A. M., for the purpose of canvassing the vote for governor, and to hear any communication the governor may desire to make.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion, the resolution was concurred in.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 14, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate concurrent resolution No. 1 and senate concurrent resolution No. 5.

And the same are herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion, the house concurred in the adoption of senate concurrent resolution No. 1 and senate concurrent resolution No. 5.

Mr. McCracken of Multnomah county appeared and was duly sworn in by the secretary of state as a member of the house and took his seat.

Mr. Morey was, on motion of Mr. Story, granted leave of absence until Wednesday, January 21.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 13, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate concurrent resolution No. 3, relating to the fishing industry between the states of Washington and Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Thomas, the resolution was concurred in.

Mr. Jennings, chairman of the committee appointed by the speaker to notify his excellency, Governor Pennoyer, that the house was ready to receive him and hear any communication he might desire to offer, reported that his excellency was now ready and awaited the pleasure of the house and senate in joint convention.

On motion of Mr. Barrett, the report was adopted.

Mr. Coleman moved that a committee of three be appointed to wait upon the judges of the supreme court and inform them of the

joint convention of both houses about to be held, and invite their presence in company with the governor.

Mr. Speaker appointed as such committee, Messrs. Coleman, Merritt and Wright.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 14, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has adopted house joint resolution No. 1, to furnish members of senate and house of representatives with 100 copies of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 14, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 1, for a joint committee to examine the books of the state treasurer.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 14, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 3, concerning the orphan's home.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 14, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No 6, for a joint committee to investigate the Oregon state penitentiary.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

Mr. Miller introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 16.

Resolved, That the state treasurer be and is hereby requested to furnish this house with a detailed statement of the gross receipts of the 5 per cent of the net proceeds of the sale of United States lands within the state of Oregon, and the gross annual amounts appropriated out of said fund, and to what purpose applied, each year, from the year 1853 to the end of the last fiscal year. That the treasurer is hereby requested to furnish said information as soon as possible for the use of the house.

Resolution adopted.

Mr. Garfield introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 17.

Whereas in the opinion of this house the law regarding purchase and selecting of the school books of this state should be amended so as to require the state to publish or purchase said books and furnish the same at cost to the schools; therefore be it

Resolved, That the committee on education consider said matter, and that they report a proper bill for said purpose to the house at as early a date as practicable.

Resolution adopted.

Mr. Speaker called Mr. Paquet to the chair.

Mr. Durham introduced the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO. 7.

Resolved by the House, the Senate concurring:

That the secretary of state be authorized to have printed in pamphlet form one thousand copies of the laws relating to assess-

ment and taxation for distribution to the assessors of the various counties of the state.

Resolution adopted.

Mr. Speaker resumed the chair.

Mr. Dustin, by unanimous consent, introduced a petition.

Mr. Barrett introduced the following resolution and moved its adoption :

HOUSE RESOLUTION NO. 18.

Resolved, That all the state officers of the state of Oregon, as well as ex-senators and ex-representatives, be and they are hereby invited to seats within the bar of the house.

Resolution adopted.

Mr. Speaker, under house concurrent resolution No. 4, appointed the following committee on the part of the house to visit, examine into and report on the state university, viz: Messrs. Welch, Blundell and Wright.

Mr. Speaker, under house concurrent resolution No. 6, appointed the following committee on the part of the house to visit, examine into and report on the state penitentiary: Messrs. Moor of Benton, Jennings and Barnes.

Mr. Blundell was excused from attendance at his request on account of sickness.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 14, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 2, to inform his excellency of the organization of both houses, and has appointed on behalf of the senate Messrs. Weatherford and Eakin.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

JOINT CONVENTION.

The hour having arrived for canvassing the vote cast for governor at the general election, June, 1890, the senate was announced and both houses went into joint convention with President Simon of the senate in the chair.

Chief Clerk Miller of the senate called the roll of its members.

All were present except Senator Eastham, who had obtained leave of absence.

Chief Clerk Hays called the roll of the house.

All members present except Messrs. Blundell and Crook, who had been excused.

Senator Tongue moved the appointment of a committee of three of the joint convention to wait upon the judges of the supreme court and escort them to the platform.

Senator Tongue, Moor of Benton and Senator Blackman were so appointed by President Simon.

Upon the arrival of the supreme judges, Mr. Speaker Geer proceeded to canvass the official returns of the votes cast for governor in the several counties at the June election, 1890.

Senator Raley and Mr. Miller were appointed tellers by President Simon.

The speaker opened the certificates of the vote and announced the count to the clerks, with the result of the following count by counties:

<i>Counties.</i>	<i>Sylvester Pennoyer.</i>	<i>D. P. Thompson.</i>	<i>Total.</i>
Baker.....	1,082	842	-----
Benton.....	1,359	1,090	-----
Clackamas.....	1,576	1,559	-----
Clatsop.....	1,257	1,483	-----
Columbia.....	517	813	-----
Coos.....	1,047	892	-----
Crook.....	740	332	-----
Curry.....	205	255	-----
Douglas.....	1,554	1,384	-----
Gilliam.....	594	445	-----
Grant.....	715	664	-----
Harney.....	552	485	-----
Jackson.....	1,682	1,143	-----
Josephine.....	690	689	-----
Klamath.....	425	316	-----
Lake.....	484	330	-----
Lane.....	1,996	1,658	-----
Linn.....	2,345	1,663	-----
Malheur.....	362	387	-----
Marion.....	2,310	2,327	-----
Morrow.....	689	449	-----
Multnomah.....	6,338	6,464	-----
Polk.....	1,254	919	-----
Sherman.....	272	211	-----
Tillamook.....	424	402	-----
Umatilla.....	2,203	1,308	-----
Union.....	2,202	1,469	-----
Wallowa.....	403	475	-----
Wasco.....	1,257	893	-----
Washington.....	1,228	1,247	-----
Yamhill.....	1,208	1,271	-----
Total.....	38,920	33,765	72,685
Majority.....	5,155		

Upon the conclusion of the count, the speaker announced that Sylvester Pennoyer had received 38,920 votes and D. P. Thompson 33,765 votes for the office of governor, and therefore declared Sylvester Pennoyer duly elected governor for the ensuing four years.

President Simon appointed Mr. Coleman, Senator Cameron and Mr. Story a committee to wait upon the governor and request his attendance at the joint convention; to inform his excellency that the speaker of the house has canvassed the vote and declared the result thereof; that the legislative assembly of the state of Oregon is assembled to witness his excellency's inauguration and to receive any message.

The committee, accompanied by his excellency, was announced.

Governor Pennoyer ascended the speaker's platform, whereupon Chief Justice Strahan of the supreme bench administered to him the oath of office, after which President Simon introduced his excellency to the legislative assembly, and he delivered his inaugural address.

[See appendix.]

A telegram received by Senator F. A. Moore, chairman of the republican legislative caucus for the choice of a United States senator, from Hon. John H. Mitchell, was read, expressing that gentleman's thanks to the members of the caucus for the confidence expressed in again choosing him as his own successor in the United States senate.

On motion of Senator Veatch, the joint convention dissolved.

The senate retired to the senate chamber.

On motion, the house adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 14, 1891. }

The house was called to order at 2 o'clock P. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Blundell and Crook, excused; Mr. Morey on leave of absence, and Mr. Montgomery.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 14, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate concurrent resolution No. 8, for the appointment of a joint committee to investigate the manner in which the state printing has been done during the past two years.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Barrett, the resolution was concurred in.

Mr. Durham introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 19.

Resolved, That the secretary of state be authorized to have 1,000 copies of the governor's message printed for the use of the members of the legislative assembly.

Resolution adopted.

Mr. Durham introduced the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO. 8.

Resolved by the House, the Senate concurring:

That the legislative assembly of Oregon do adjourn at 4 o'clock P. M. on Wednesday, January 14, to Monday at 2 o'clock P. M., January 19, 1891.

The resolution was defeated on a division of the house.

Mr. Paquet introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 20.

Resolved, That the chief clerk of the house be required and he is hereby authorized to furnish to each member of this house a house calendar similar to that furnished at the last session, giving the exact status of each measure before the house on the morning of each daily session.

Resolution adopted.

The speaker appointed as committee on the part of the house to

investigate the manner in which the state printing has been performed during the past two years, Messrs. Crook, Fox and Hardy.

The speaker, under senate concurrent resolution No. 1, appointed as committee on the part of the house to visit, examine and report on the public buildings and public works of the state, Messrs. Montgomery, McCall and Mulkey.

Mr. Montgomery introduced house bill No. 49:

"A bill for an act to amend section seventy-two (72) of an act entitled an act to incorporate the city of Portland, approved October 24, 1882, as amended by an act approved November 21, 1885, and by an act passed by the legislative assembly in February, 1889, and filed in the office of the secretary of state of Oregon February 25, 1889, which section relates to police commissioners and the police force of the city of Portland; and also to amend section one hundred and forty-nine (149) of said act entitled an act to incorporate the city of Portland, approved October 24, 1882, as amended by said act passed in February, 1889, and filed in the office of the secretary of state February 25, 1889, which last named section relates to the indebtedness of said city of Portland; and to repeal all acts and parts of acts in conflict with this act."

Mr. Montgomery moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Excused—Messrs. Blundell and Crook—2.

Absent—Messrs. Fox and McCoy—2.

So the rules were suspended, the bill read the first time by title and passed to a second reading.

Mr. McCoy introduced house bill No. 50:

"A bill for an act to provide for the assessment and collection of taxes, and to repeal all of chapter 17, except section 2836 thereof, of Hill's annotated laws of Oregon; also all of sections 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2342, 2344, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, and subdivisions 2 and 923 of section

2602, subdivisions 3 and 4 of section 2619, sections 2620, 2621, 2643, 3593 and 3594 of Hill's annotated laws of Oregon; also an act to amend section 2757 of title 3 of chapter 17 of the laws of Oregon, as compiled and annotated by W. Lair Hill, passed February 21, 1889; also an act entitled an act to provide assessment blanks for district school clerks, approved February 25, 1889; also an act to amend section 2797 of title 6 of chapter 17 of the laws of Oregon, as compiled and annotated by W. Lair Hill, approved February 25, 1889; also an act to amend section 2621 of the general laws of Oregon, as compiled and annotated by W. Lair Hill, approved February 25, 1889; and to repeal all other acts or parts of acts and all laws inconsistent with this act."

Mr. McCoy moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Blundell, Crook, McCoy and Montgomery, excused—4.

So the rules were suspended, the bill read the first time by title and passed to a second reading without question.

Mr. McCoy moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Hall and Montgomery—2.

Not voting—Messrs. Blundell, Crook and Morey—3.

So the rules were suspended, the bill read the second time by title and passed to third reading.

Mr. Armstrong gave notice that at some future time he would introduce a substitute for the bill.

Mr. Weed introduced house bill No. 51:

"A bill for an act to amend section 2348 of the laws of Oregon, as compiled and annotated by William Lair Hill."

The bill was read the first time and passed to its second reading without question.

Mr. Weed introduced house bill No. 52:

"A bill for an act to protect the title of the owners of floating logs, timber and lumber."

The bill was read the first time and passed to its second reading without question.

Mr. Miller introduced house bill No. 53:

"A bill for an act to amend section 2820 of chapter 17 of the laws of Oregon, as compiled and annotated by W. Lair Hill in 1887, being section 87 of chapter 57 of the laws of Oregon, as compiled by Mathew P. Deady and Lafayette Lane in 1874, and being section 4 of an act to provide for the collection of taxes, and to repeal an act passed January 11, 1884, titles 5 and 6 of said act, approved October 21, 1854, approved December 18, 1865, relating to the redemption of land sold for taxes."

The bill was read the first time and passed to its second reading without question.

Mr. Morey introduced house bill No. 54:

"A bill for an act for the protection of birds within the state of Oregon."

The bill was read the first time and passed to its second reading without question.

Mr. Stewart introduced house bill No. 55:

"A bill for an act to authorize the construction of a bridge across the Willamette river at the town of Sellwood, in the state of Oregon."

The bill was read the first time and passed to its second reading without question.

Mr. Paquet introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 21.

Resolved, That the pay of clerks of committees for this session of the house of representatives of the state of Oregon be and the same is hereby fixed at three dollars per day for all committees except that of judiciary and ways and means, of which committees the pay shall be four dollars per day; committees to be confined to one clerk

unless otherwise permitted by the house; and no clerks to be employed until there is some work before the committee; the chairman of each committee to decide when the employment of a clerk is necessary.

It was moved that house resolution No. 21 be laid on the table.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barrett, Botkin, Butler, Durham, Dustin, Fox, Furry, Garfield, Hall, Hardy, Johnston, Lamson, Leeper, Littig, McCall, McCoy, McCracken, Miller, Montgomery, Moor of Benton, Myer, Snider, Starr, Stillwell, Story, Thomas, Weed and Welch—29.

Nays—Messrs. Baker, Barnes, Coleman, Gambee, Hansard, Hartman, Henry, Holmes, Jennings, Killian, Manning, McAlister, Merritt, Meussdorffer, Minto, Moore of Washington, Mulkey, Paquet, Reed, Richey, Shedd, Stephenson, Stewart, Thompson, Tracy, Wilkins, Wright, and Mr. Speaker—28.

Absent—Messrs. Blundell, Crook and Morey—3.

So the resolution was laid on the table.

Mr. Thomas introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 22.

Resolved, That the secretary of state be and he is hereby requested to deliver to the speaker of the house, house joint resolution No. 1 of the fifteenth biennial session of the legislative assembly of the state of Oregon, which was duly passed by both houses at said session and was enrolled and signed by the president of the senate and the speaker of the house.

Resolution adopted.

Mr. Jennings introduced the following joint memorial and moved its adoption:

HOUSE JOINT MEMORIAL NO. 1.

To the Honorable, the Congress of the United States:

Whereas there is a general desire upon the part of the legal voters of the state of Oregon that United States senators should be elected by a direct vote of the people; and

Whereas the election of United States senators by the legislative assembly retards and delays the business of the session very seriously; therefore be it

Resolved by the House, the Senate concurring:

That we are in favor of an amendment to the constitution of the United States providing for the election of United States senators

by a direct vote of the people. And that we therefore urge our senators and representative to use their best endeavors to secure such amendment.

Resolved further That the secretary of state be and he is hereby instructed to furnish a copy of this resolution to each of our senators and representative in congress.

Memorial adopted.

Mr. Coleman introduced house bill No. 56:

"A bill for an act defining in what justice's courts a criminal prosecution may be instituted."

The bill was read the first time and passed to second reading without a question.

Mr. Thomas introduced house bill No. 57:

"A bill for an act entitled an act to amend section 2414 of the miscellaneous laws of Oregon; as compiled and annotated by William Lair Hill."

The bill was read the first time and passed to second reading without a question.

Mr. Blundell introduced house bill No. 58:

"A bill for an act entitled an act to amend section 4064, chapter 76, title 1, miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill, relating to highways."

The bill was read the first time and passed to second reading without a question.

Mr. Moore of Washington introduced house bill No. 59:

"A bill for an act to amend section 2344 of title 1, chapter 11, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill."

The bill was read the first time and passed to second reading without a question.

Mr. Littig introduced house bill No. 60:

"A bill for an act to appropriate money to aid the county court of Malheur county to build bridges and construct a wagon road from the Malheur river opposite the city of Vale to Baxterville, in Jordan valley, Malheur county, Oregon."

The bill was read the first time and passed to second reading without a question.

Mr. Stillwell introduced house bill No. 61:

"A bill for an act to appropriate five thousand dollars to aid Tillamook county in the construction of two bridges, one across the Nehalem river at or near the mouth of Foley creek, and one across the Big Nestucca river at or near the place where the county road known as the Maxwell road now crosses the above-named river."

The bill was read the first time and passed to second reading without a question.

Mr. McCall introduced house bill No. 62:

"A bill for an act entitled an act to appropriate money to aid the county courts of Jackson and Klamath counties to construct and repair a wagon road from a point near Keno, in Klamath county, to the soda springs on the old wagon road leading from Ashland to Linkville."

The bill was read the first time and passed to its second reading without question.

Mr. Durham introduced house bill No. 63:

"A bill for an act entitled an act to make appropriation to pay the per diem and mileage of the members of this legislature and other expenses of this session."

The bill was read the first time and passed to its second reading without question.

Mr. Barnes introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 23.

Resolved, That this house have, by request, the honorable judges of the supreme court of the state of Oregon give an expression of their opinion, if the request thus made is not incompatible with their position or duty, as to the constitutionality of the appropriation of money for the construction of wagon roads.

On motion of Mr. Paquet, the resolution was laid on the table.

Mr. Welch introduced house bill No. 64:

"A bill for an act entitled an act to regulate the manner of taking acknowledgments of married women and for other purposes."

The bill was read the first time and passed to its second reading without question.

Mr. Welch introduced house bill No. 65:

"A bill for an act to regulate wills and heirships of the estate of deceased persons and to repeal conflicting laws."

The bill was read the first time and passed to its second reading without question.

Mr. Welch introduced house bill No. 66:

"A bill for an act entitled an act relating to the statutes of limitations prescribed in municipal charters."

The bill was read the first time and passed to its second reading without question.

Mr. Welch introduced house bill No. 67:

"A bill for an act to be entitled an act to authorize the city of Astoria to erect a sea wall and to grade the streets and construct

sewers in connection therewith, and to issue sea wall bonds, and for other purposes relating thereto."

Mr. Welch moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meusdorffer, Miller, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Armstrong, Blundell, Crook, Minto and Morey—5:

So the rules were suspended, the bill read the first time by title and passed to a second reading without question.

Mr. Reed introduced house bill No. 68:

"A bill for an act entitled an act to appropriate money to aid the county court of Douglas county to construct a wagon road from the town of Gardiner to the Lane county line."

The bill was read the first time and passed to its second reading without question.

Mr. Snider introduced house bill No. 69:

"A bill for an act providing for an additional circuit judge for the first judicial district."

The bill was read the first time and passed to its second reading without question.

Mr. Stephenson introduced house bill No. 70:

"A bill for an act to amend section 4067, chapter 76, title 1, of the miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill, relating to the appointment of surveyor of county roads."

The bill was read the first time and passed to its second reading without question.

Mr. Stephens introduced house bill No. 71:

"A bill for an act to incorporate the town of Mitchell, Crook county, Oregon."

Mr. Wilkins moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Han-

sard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson,, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Blundell, Crook and Morey—3.

So the rules were suspended, the bill read the first time by title and passed to its second reading without question.

Mr. Coleman moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Blundell, Crook, McCoy and Morey—4.

So the rules were suspended, the bill read the second time by title and passed to third reading.

On motion of Mr. Coleman, the bill was ordered printed.

Mr. Botkin introduced house bill No. 72:

“A bill for an act to authorize county commissioners to perpetuate section corners by erecting stone monuments.”

The bill was read the first time and passed to its second reading without question.

On motion of Mr. Story, house bill No. 49 was ordered printed.

On motion of Mr. Thomas, house bill No. 20 was ordered printed.

On motion of Mr. Stewart, the resolution was rescinded which was passed Tuesday, the 13th, in relation to printing of corporation bills, so that such bills may hereafter be printed the same as all other bills.

The following communication was received from the secretary of state:

COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE,)
SALEM, Oregon,)
January 14, 1891.)

To the Honorable the Speaker of the House of Representatives—

SIR: I have the honor, in compliance with house resolution No. 22, to deliver to you house joint resolution No. 1 of the fifteenth biennial session of the legislative assembly of the state of Oregon, which passed both houses of said assembly at said session, and was enrolled, and signed by the president of the senate and speaker of the house.

I have the honor to be, very respectfully,
Your obedient servant,

GEO. W. McBRIDE,
Secretary of State.

Accompanying said communication was the house joint resolution No. 1 of the fifteenth biennial session, which is as follows:

HOUSE JOINT RESOLUTION NO. 1.

OF FIFTEENTH BIENNIAL SESSION.

Resolved by the House, the Senate concurring:

That the following amendment to the constitution of the state of Oregon be and hereby is proposed: That section 2 of article 2 be amended by adding thereto the words, "but registration laws may be enacted by the legislative assembly," so that said section shall read as follows, to wit:

Section 2. In all elections not otherwise provided for by this constitution, every: white male citizen of the United States, of the age of twenty-one years and upwards, who shall have resided in the state during the six months immediately preceding such election, and every white male of foreign birth of the age of twenty-one years and upward, who shall have resided in the state during the six months immediately preceding such election, and shall have declared his intention to become a citizen of the United States one year preceding such election, conformably to the laws of the United States on the subject of naturalization, shall be intitled to vote at all

elections authorized by law; but registration laws may be enacted by the legislative assembly.

Adopted by the house, February 5, 1889.

E. L. SMITH,
Speaker of the House.

Concurred in by the senate, February 21, 1889.

JOSEPH SIMON,
President of the Senate.

Mr. Thomas moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Blundell, Crook, McCoy and Morey—4.

Resolution adopted.

Mr. Armstrong introduced the following resolution, and moved its adoption:

HOUSE RESOLUTION NO. 24.

Whereas the subject of committee clerks as employed during the last two or three sessions of the legislature has been deemed a reckless extravagance of the people's money without an equivalent in labor having been rendered for the sums paid; therefore be it

Resolved, That the enrolling clerks and also those of engrossing committees be allowed five dollars per day, and all others three dollars per day while actually employed.

Mr. Paquet moved to lay the resolution on the table.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Butler, Durham, Dustin, Fox, Furry, Garfield, Hall, Hartman, Johnston, Littig, McCoy, McCracken, Merritt, Miller, Moor of Benton, Myer, Reed, Snider, Starr, Stillwell, Story, Thomas and Welch—23.

Nays—Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Coleman, Gambee, Hansard, Hardy, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Manning, McAlister, McCall, Meussdorffer, Minto, Montgomery, Moore of Washington, Mulkey, Paquet, Richey, Shedd,

Stephenson, Stewart, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—34.

Absent—Messrs. Blundell, Crook and Morey—3.

So the motion to lay on the table was lost.

Mr. Hall moved to refer the matter of the resolution to a committee of three, to be appointed by the speaker, to investigate and report as to the amount of work to be done by committee clerks, and the amount of pay commensurate therewith.

Motion carried.

On motion, the house adjourned until Thursday morning, January 15, 1891.

THURSDAY, JANUARY 15, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 15, 1891. }

The house was called to order at 10 o'clock A. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Mr. Crook, excused on account of sickness, and Mr. Morey, on leave of absence.

The session was opened with prayer by Rev. E. S. Bollinger, pastor of the Evangelical church, Salem.

On motion, the reading of the journal of Wednesday's session was dispensed with.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 14, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has adopted senate concurrent resolution No. 7, to appoint a joint committee to investigate the state agricultural college.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Moor of Benton, the house concurred in the resolution.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 14, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has adopted senate concurrent resolution No. 6, for a joint committee to examine the books and records of the state land department, and to report thereon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 14, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 4, to provide for a joint committee to visit the state university and report thereon.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 14, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 5, in relation to the early settlers of Oregon and the building of steamships for mercantile use.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

Mr. Speaker recalled the appointment previously made of a special committee consisting of Messrs. Crook, Fox and Hardy on investigation of state printing office, as by a senate concurrent reso-

lution, that matter will be in the hands of the standing committee of both houses on printing.

Mr. Speaker appointed the following special committees on the part of the house to act with like committees appointed from the senate:

On investigation of the secretary of state's office, Messrs. Wilkins, Baker and Gambee.

On investigation of insane asylum, Messrs. Minto, Snider and Myer.

On fishing industries on the Columbia river, Messrs. Fox, Reed and Botkin.

On investigation of state agricultural college and farm, Messrs. McCoy, Weed and Henry.

On investigation of state land department, Messrs. Merritt, Manning and Holmes.

Also as house committee on employment and pay of committee clerks, Messrs. Hall, Armstrong and Coleman.

Mr. Tracy introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 25.

Whereas there will be several bills introduced in this house on the division of counties; therefore be it

Resolved, That the secretary of state is hereby authorized to furnish each and every member of this house with a correct map of the state of Oregon.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Botkin, Butler, Coleman, Durham, Fox, Furry, Gambee, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Mulkey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—Messrs. Barrett, Dustin, Garfield, Hall, Hansard, Hardy, Henry and McCracken—8.

Not voting—Messrs. Crook and Morey—2.

So the resolution was adopted.

Mr. Thomas introduced the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO. 9.

Resolved by the House, the Senate concurring :

That the following amendment to the constitution of the state of Oregon be and hereby is proposed :

AMENDMENT.

That section 29 of article 4 of the constitution of Oregon be and the same is hereby amended so as to read as follows:

Section 29. The members of the legislative assembly shall receive for their services a sum not exceeding seven dollars a day from the commencement of the session; but such pay shall not exceed in the aggregate two hundred and eighty dollars for per diem allowance for any one session. When convened in extra session by the governor, they shall receive seven dollars per day; but no extra session shall continue for a longer period than twenty days. They shall also receive the sum of three dollars for every twenty miles they shall travel in going to and returning from their place of meeting on the usual route. The presiding officers of the assembly shall, in virtue of their office, receive an additional sum of three dollars per diem.

Mr. Dustin moved to substitute \$5 for \$7 as the per diem of members.

On motion of Mr. Paquet, the resolution was made a special order for Monday, January 19, at 2 o'clock P. M.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 15, 1891. }

Mr. Speaker :

I am directed by the president to inform you that he has appointed as a committee on the part of the senate to visit and investigate the state university, pursuant to house concurrent resolution No. 4, Messrs. Hilton and Raley.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 15, 1891. }

Mr. Speaker :

I am directed by the president to inform you that he has appointed

as a committee on the part of the senate to investigate the state penitentiary, pursuant to house concurrent resolution No. 6, Messrs. Cameron and Matlock.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January, 15, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has appointed as a committee on the part of the senate to investigate the orphans home, pursuant to house concurrent resolution No. 3, Messrs. Moore and Crosno.

And the same are herewith transmitted to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 15, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has appointed as a joint committee on the part of the senate to investigate the books of the secretary of state, Messrs. Fullerton and Blackman.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 15, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has appointed on the part of the senate, pursuant to senate concurrent resolution No. 3, to investigate the fishing industries and conference with the Washington legislature, Messrs. Fulton and Weatherford.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 15, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has appointed as a committee on the part of the senate to investigate the books of the state treasurer, pursuant to house concurrent resolution No. 1, Messrs Hirsch and Raley.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 15, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has appointed as a committee on the part of the senate under senate concurrent resolution No. 1, to visit the public buildings of the state, including the cascade locks, Messrs. Dodson and Myers.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

Mr. Merritt introduced house bill No. 73:

"A bill for an act to authorize a mother to appoint a guardian by will."

The bill was read the first time and passed to second reading without question.

Mr. Garfield introduced house bill No. 74:

"A bill for an act to compel prompt payment of laborers."

The bill was read the first time and passed to its second reading without question.

Mr. Mulkey introduced house bill No. 75:

"A bill for an act to amend section 3354 of title 1 of chapter 38 of the miscellaneous laws of Oregon, as compiled and annotated by Wm. Lair Hill."

The bill was read the first time and passed to its second reading without question.

Mr. Richey introduced house bill No. 76:

"A bill for an act to provide for the completion of a wagon road from the town of John Day, in Grant county, Oregon, to the north

line of Grant county, Oregon, and to appropriate money therefor."

The bill was read the first time and passed to its second reading without question.

Mr. Jennings introduced house bill No. 77:

"A bill for an act to secure greater caution in the use of firearms in hunting, and to provide a penalty for the killing or wounding of a human being by mistake."

The bill was read the first time and passed to a second reading without question.

Mr. Jennings introduced house bill No. 78:

"A bill for an act to amend section 4141, chapter 76, of the code of Oregon, as compiled and annotated by William Lair Hill, relating to bridges on public roads."

The bill was read the first time and passed to a second reading without question.

Mr. Jennings introduced house bill No. 79:

"A bill for an act to amend section 503, title 7, chapter 5, of the code of Oregon, as compiled and annotated by William Lair Hill, relating to marriage contracts."

The bill was read the first time and passed to a second reading without question.

Mr. Hall introduced house bill No. 80:

"A bill for an act relating to the lending of money by co-operative building and loan corporations only to their own stockholders."

The bill was read the first time and passed to a second reading without question.

Mr. Hall introduced house bill No. 81:

"A bill for an act to amend section 3082 of chapter 22, miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill, relating to the disposition of property by will."

The bill was read the first time and passed to a second reading without question.

Mr. Thomas introduced house bill No. 82:

"A bill for an act entitled an act defining the liability of counties for injuries received by reason of defective highways and bridges."

The bill was read the first time and passed to a second reading without question.

Mr. Thomas introduced house bill No. 83:

"A bill for an act to amend section 4061, of chapter 76 of the miscellaneous laws of Oregon, as compiled and annotated by Wm. Lair Hill."

The bill was read the first time and passed to second reading without question.

Mr. Butler introduced house bill No. 84:

"A bill for an act to repeal section 2304, on pages 1096 and 1097 of Hill's annotated laws of Oregon."

The bill was read the first time and passed to second reading without question.

Mr. Butler introduced house bill No. 85:

"A bill for an act to amend section 2301, on page 1096 of Hill's annotated laws of Oregon."

The bill was read the first time and passed to second reading without question.

Mr. McAlister introduced house bill No. 86:

"A bill for an act to amend sections 3377, 3378, 3379, 3380 and 3381 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, pertaining to the taking up and sale of estrays."

The bill was read the first time and passed to its second reading without question.

Mr. McAlister introduced house bill No. 87:

"A bill for an act to regulate the practice of candidates for public office and of campaign committees."

The bill was read the first time and passed to its second reading without question.

Mr. Minto introduced house bill No. 88:

"A bill for an act entitled an act to create the office of railroad commissioner and to fix his compensation, and to define and regulate his powers and duties, and authorize the courts of this state to enforce his orders and decisions, and to repeal an act entitled an act to create and establish a board of railroad commissioners, and to define and regulate its powers and duties, and to fix the compensation of its members, approved February 18, 1887, and to repeal an act entitled an act to amend an act entitled an act to create and establish a board of railroad commissioners and to define and regulate its powers and define its duties, and to fix the compensation of its members, approved February 18, 1887, being chapter 73 of the general laws of Oregon as compiled and annotated by W. Lair Hil, which passed the senate notwithstanding the objections and veto of the governor February 18, 1889, and passed the house notwithstanding the objections and veto of the governor February 20, 1889."

Mr. McCoy moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Killian, Lamson, Leeper, Littig,

Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook and Morey—2.

Not voting—Messrs. Armstrong, Jennings and Johnston—3.

So the rules were suspended, the bill read the first time by title and passed to its second reading without question.

Mr. Mulkey introduced house bill No. 89:

“A bill for an act to incorporate the town of Fossil, in Gilliam county, Oregon.”

Mr. Mulkey moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Crook and Morey—2.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without question.

Mr. Paquet introduced house bill No. 90:

“A bill for an act to amend an act entitled an act to amend sections 4061, 4070, 4084 and 4085 of title 1, chapter 76, of the miscellaneous laws of Oregon, as compiled and annotated by Wm. Lair Hill.”

The bill was read the first time and passed to its second reading without question.

Mr. McCracken introduced house bill No. 91:

“A bill for an act to establish boards of medical examiners of the state of Oregon for the examination and licensing of practitioners of medicine and surgery, and to further regulate the practice of medicine and surgery; to repeal an act entitled an act to regulate the practice of medicine and surgery in the state of Oregon, filed in the office of the secretary of state of Oregon on February 28, 1889.”

Mr. Wilkins moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Crook and Morey—2.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without question.

Mr. Hardy introduced house bill No. 92:

“A bill for an act entitled an act to appropriate money to aid the county court of Baker county in constructing a wagon road on Powder river in said county.”

The bill was read the first time and passed to a second reading without question.

Mr. Dustin introduced house bill No. 93:

“A bill for an act to require the county court of Harney county to complete the county road and construct a bridge or bridges across the narrows between the Malheur and Harney lakes, in Harney county, Oregon, and to appropriate money therefor.”

The bill was read the first time and passed to a second reading without question.

Mr. Wilkins introduced house bill No. 94:

“A bill for an act to amend section 1935 of the laws of Oregon, as compiled and annotated by Wm. Lair Hill, relating to game birds.”

The bill was read the first time and passed to its second reading without question.

Mr. Thomas introduced house bill No. 95:

“A bill for an act to define the qualifications of voters at school elections in districts with a population of one thousand and upwards.”

The bill was read the first time and passed to its second reading without question.

Mr. McCoy introduced house bill No. 96:

“A bill for an act to amend section 1 of an act entitled an act to

create the county of Sherman, and to fix the salaries of county judge and treasurer thereof, approved February 25, 1889."

The bill was read the first time and passed to its second reading without question.

Mr. Miller introduced house bill No. 97:

"A bill for an act to increase the power and further define the duties of the board of railroad commissioners in respect to management, operation and control of railroads and the transportation of persons and property within the state of Oregon."

Mr. Miller moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Crook and Morey—2.

So the rules were suspended, the bill read the first time by title and passed to its second reading without question.

Mr. Miller introduced house bill No. 98:

"A bill for an act entitled an act to appropriate money to aid the county courts of Curry and Josephine counties in constructing a wagon road on Rogue river in said counties."

Mr. Miller moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Crook and Morey—2.

Not voting—Mr. Meussdorffer—1.

So the rules were suspended, the bill read the first time by title, and passed to its second reading without question.

Mr. Armstrong introduced house bill No. 99:

"A bill for an act for the relief of Mrs. A. L. Stinson."

The bill was read the first time and passed to its second reading without question.

Mr. Starr introduced house bill No. 100:

"A bill for an act to amend an act entitled an act to regulate the salaries of county judges in the state of Oregon, approved February 20, 1885, approved February 21, 1887, and approved February 25, 1889."

The bill was read the first time and passed to its second reading without question.

Mr. Garfield introduced house bill No. 101:

"A bill to provide for the taxation of church property in the state of Oregon."

The bill was read the first time and passed to its second reading without question.

Mr. Welch introduced house bill No. 102:

"A bill for an act to amend an act entitled an act to amend title 1, chapter 66, of Hill's annotated laws of Oregon, relating to pitotage at the Columbia river bar, and on the Columbia and Willamette rivers."

Mr. Welch moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Crook, Hall and Morey—3.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without question.

Mr. Hall moved that the house adjourn to Monday, January 19, 1891, at 2 o'clock P. M.

The roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Butler, Coleman, Durham, Fox, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Johnston, Killian, Manning, McCall, McCoy, McCracken, Miller, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stephenson, Thomas, Weed and Wright—35.

Nays—Messrs. Barnes, Botkin, Dustin, Furry, Gambee, Hartman, Jennings, Lamson, Leeper, Littig, McAlister, Merritt, Meussdorffer, Minto, Paquet, Stewart, Stillwell, Story, Thompson, Tracy, Welch, Wilkins, and Mr. Speaker—23.

Absent—Messrs. Crook and Morey—2.

So the house adjourned to Monday, January 19, 1891, at 2 P. M.

R. R. HAYS,
Chief clerk.

MONDAY, JANUARY 19, 1891.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 19, 1891. }

The house was called to order at 2 o'clock P. M. pursuant to adjournment.

The roll was called.

All members were present except Messrs. Moore of Washington and Morey.

Prayer was offered by Rev. Robert Whitaker of the Baptist church, Salem.

The journal of Thursday, January 15, was read and duly approved.

The speaker announced the following appointments as standing committees of the house for the present session:

STANDING COMMITTEES.

Elections—Barrett, Welch, Hartman, Dustin, Killian.

Ways and Means—Paquet, Baker, Butler.

Education—Blundell, Armstrong, Henry.

Judiciary—Hall, Barrett, Thomas, Holmes, Butler.

Claims—McCall, Snider, Thompson.

Military—Thomas, Manning, McAlister.

Roads and Highways—Moor of Benton, Johnston, Coleman.
Engrossed Bills—Merritt, Hall, Garfield.
Enrolled Bills—Stewart, Blundell, Henry.
Indian Affairs—Snider, Durham, Stephenson.
Printing—Crook, Morey, Hardy.
Corporations—Story, Durham, Barnes.
Commerce—Fox, Montgomery, Manning, Holmes, Mulkey.
Counties—Weed, Reed, Jennings, Mulkey, Garfield.
Federal Relations—Armstrong, Leeper, Shedd.
Mining—Wright, Littig, Furry.
Agriculture—Minto, Moor of Benton, Killian.
Alcoholic Traffic—Lamson, Meussdorffer, Hansard.
Railroads and Transportation—Miller, McCoy, McCracken, Starr, Barnes.
Assessment—McCoy, Minto, Tracy, Wilkins, Gambee.
Public Buildings—Johnston, Botkin, Myer.
Internal Improvements—Moore of Washington, Story, Richey.
Fishing—Reed, Stillwell, Crook, Fox, Coleman.
Public Lands—Jennings, Miller, Gambee.
 The following message was received from the senate and read:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
 SALEM, Oregon,
 January 19, 1891.

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate concurrent resolution No. 9, relative to the death of Senator E. L. Eastham.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
 Chief clerk.

On motion of Mr. Paquet, the resolution was concurred in.

House concurrent resolution No. 9, which was made special order for to-day, was taken up.

Mr. Thomas moved to refer the resolution to the committee on judiciary.

Mr. Armstrong moved to lay the resolution on the table.

Motion lost.

The motion to refer to judiciary committee prevailed, and the resolution was so referred.

Mr. Botkin introduced the following joint resolution and moved its adoption :

HOUSE JOINT RESOLUTION NO. 2.

Resolved, That it is the sense of the legislative assembly, 16th regular session, of the state of Oregon, that the commissioners of the world's Columbian fair, to be held in Chicago, Illinois, in 1893, prohibit the sale or giving away of intoxicating liquors on the fair grounds during the continuance of said fair.

Resolved, That the secretary of state be instructed to send a copy of the above resolution to the said commissioners.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Hansard, Henry, Lamson, Leeper, Manning, Myer, Mulkey, Paquet, Richey, Shedd, Stephenson, Stewart, Stillwell, Story, Tracy and Weed—23.

Nays—Messrs. Armstrong, Baker, Crook, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Littig, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Reed, Snider, Starr, Thomas, Thompson, Welch, Wilkins, Wright, and Mr. Speaker—35.

Absent—Messrs. Moore of Washington and Morey—2.

So the resolution was lost.

Mr. Moor of Benton introduced the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO. 10.

Resolved by the House, the Senate concurring :

That a committee of three on the part of the house and two on the part of the senate be appointed, whose duty it shall be to visit the school for the blind, and report to the two houses the condition and general workings of the same.

Resolution adopted.

Mr. Barrett introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 26.

Resolved, That the sergeant at arms be authorized to appoint an assistant, whose duty it shall be to distribute the bills and calendars and other printed matter, and to assist the pages when not otherwise employed.

The motion to adopt the resolution was lost.

The following report was received from the special committee appointed under house resolution No. 24 to investigate the matter of committee clerkships.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 19, 1891. }

Mr. Speaker :

Your special committee to whom was referred house resolution No. 24, fixing the compensation of committee clerks, beg leave to submit the following report, to-wit:

1. That the "whereas" portion of said resolution be entirely eliminated from said resolution.

2. That the remaining portion of said resolution be amended to read as follows, to-wit:

Resolved, That the compensation of clerks of the standing committees of the house shall not be less than three dollars per diem, nor more than five dollars per diem; each committee by a majority vote thereof to fix the compensation of the clerk or clerks in its employ within said limits. And as the termination of said employment, the chairman of each committee shall certify in writing to the number of days of employment of the clerk or clerks of his committee and the wages per diem; and said certificate shall be deemed a voucher, and any clerk or clerks not having said certificate shall not be entitled to any warrant for said wages.

JOHN H. HALL,
WM. ARMSTRONG,
E. P. COLEMAN.

Mr. Paquet moved an amendment that no committee clerk shall receive pay for more than thirty days.

The amendment was lost.

On motion, the report as read was adopted.

On motion of Mr. Hall, the resolution as amended by the committee was adopted.

INTRODUCTION AND FIRST READING OF BILLS.

By unanimous consent, the following bills were introduced:

Mr. Coleman introduced house bill No. 103:

"A bill for an act to amend section 4141 of chapter 76 of title 5 of the general laws of Oregon, as compiled by W. Lair Hill."

The bill was read the first time and passed to a second reading without question.

Mr. Hartman introduced house bill No. 104:

"A bill for an act to repeal an act entitled an act authorizing the appointment of official reporters in the circuit courts, and prescribing their duties and fixing their compensation."

The bill was read the first time and passed to a second reading without question.

Mr. Jennings introduced house bill No. 105:

"A bill for an act to amend section 2769 of the laws of Oregon, as compiled and annotated by W. Lair Hill, relating to the manner of listing credits."

The bill was read the first time and passed to a second reading without question.

Mr. Jennings introduced house bill No. 106:

"A bill for an act to amend section 2752 of the laws of Oregon, as compiled and annotated by W. Lair Hill, relating to duties of assessors."

The bill was read the first time and passed to a second reading without question.

Mr. Jennings introduced house bill No. 107:

"A bill for an act to amend sections 3817 and 3818, chapter 59, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, relating to grist mills."

The bill was read the first time and passed to its second reading without question.

The speaker called Mr. Story to the chair.

Mr. Garfield introduced house bill No. 108:

"A bill for an act to amend an act entitled an act to reincorporate the town of Marshfield, Coos county, Oregon, and to repeal an act entitled an act to incorporate the town of Marshfield, approved October 24, 1874, and an act entitled an act to amend an act to incorporate the town of Marshfield, approved October 14, 1876; also an act entitled an act supplemental to an act entitled an act to incorporate the town of Marshfield, approved October 24, 1874, approved October 26, 1880; also an act entitled an act to amend an act to incorporate the town of Marshfield, approved October 24, 1879, approved February 15, 1887, which said act was passed by the senate on February 14, 1889, and by the house of representatives on February 20, 1889, and filed in the office of secretary of state on February 25, 1889."

The bill was read the first time and passed to second reading without question.

Mr. Garfield moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Montgomery, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins and Wright—53.

Nays—None.

Absent—Messrs. Blundell, Hall, Littig, Moor of Benton, Moore of Washington, Morey, and Mr. Speaker—7.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Garfield, the bill was referred to the committee on corporations.

Mr. Dustin introduced house bill No. 109:

“A bill for an act to amend an act entitled an act to create the county of Harney and fix the salaries of county judge and treasurer thereof, approved February 25, 1889.”

The bill was read the first time and passed to its second reading without question.

Mr. Thomas introduced house bill No. 110:

“A bill for an act entitled an act to amend sections 3765 and 3786 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, and to provide for payment of armory rent.”

The bill was read the first time and passed to second reading without question.

Mr. McCracken introduced house bill No. 111:

“A bill for an act to establish a state board of charities and corrections for the state of Oregon.”

The bill was read the first time and passed to second reading without question.

Mr. McCracken introduced house bill No. 112:

“A bill for an act for the protection of fish and game.”

The bill was read the first time and passed to second reading without question.

Mr. Manning introduced house bill No. 113:

“A bill for an act to reincorporate the city of Sheridan, in Yamhill county, state of Oregon, and to repeal an act entitled an act to incorporate the town of Sheridan, approved October 26, 1880, and to repeal an act entitled an act to amend an act entitled an act to incorporate the town of Sheridan, approved October 17, 1882.”

Mr. Barrett moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Montgomery, Moor of Benton, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Moore of Washington and Morey—2.

Not voting—Messrs. Armstrong, Botkin, Fox, Garfield, Hardy and Minto—6.

So the rules were suspended, the bill read the first time by title and passed to a second reading without question.

Mr. Manning moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Montgomery, Moor of Benton, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins and Wright—54.

Nays—None.

Absent—Messrs. Hardy, Littig, Minto and Mr. Speaker—4.

Not voting—Messrs. Moore of Washington and Morey—2.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. McCoy, the bill was referred to the committee on corporations.

Mr. Montgomery introduced house bill No. 114:

"A bill for an act to amend section 2752 of title 3, chapter 17, of the general laws of Oregon, as compiled and annotated by W. Lair Hill."

The bill was read the first time and passed to a second reading without question.

Mr. Gambee introduced house bill No. 115:

"A bill for an act to provide for the publication of the general

laws in pamphlet form; to provide for their distribution, and limiting the cost of said publication."

The bill was read the first time and passed to a second reading without question.

Mr. Stillwell introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 27.

Resolved, That the secretary of state be requested to place matting upon the lobby of this house.

On motion of Mr. Armstrong, consideration of the resolution was postponed until Wednesday, January 21, 1891, at 10 A. M.

Mr. Moor of Benton introduced house bill No. 116:

"A bill for an act to increase the efficiency of special schools for the education of defective and afflicted children in the state of Oregon."

Mr. Wilkins moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Hardy, Moore of Washington and Morey—3.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without question.

Mr. Speaker resumed the chair.

Mr. Crook introduced house bill No. 117:

"A bill for an act for the relief of Curry county, and to appropriate money therefor."

The bill was read the first time and passed to its second reading without question.

Mr. McCracken introduced house bill No. 118:

"A bill for an act to incorporate the city of Portland."

Mr. Wilkins moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambia, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Montgomery, Moor of Benton, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Not voting—Messrs. Barnes, Hardy, Littig and Miller—4.

Absent—Messrs. Moore of Washington and Morey—2.

So the rules were suspended, the bill read the first time by title and passed to a second reading without question.

Mr. Story introduced house bill No. 119:

“A bill for an act to amend sections 7, 9 and 10 of an act entitled an act to establish a paid fire department for the city of Portland, approved October 9, 1882, as amended by an act entitled an act to amend an act entitled an act to establish a paid fire department for the city of Portland, approved October 9, 1882, and approved February 17, 1885.”

The bill was read the first time and passed to its second reading without question.

Mr. Blundell introduced house bill No. 120:

“A bill for an act to amend section 2585, title 2 of chapter 16 of the miscellaneous laws of Oregon, as compiled by W. Lair Hill, relating to the state board of education.”

The bill was read the first time and passed to second reading without question.

Mr. Stillwell introduced house bill No. 121:

“A bill for an act entitled an act to amend an act entitled an act to amend section 2590 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, being a part of title 3, chapter 16, relating to education.”

The bill was read the first time and passed to second reading without question.

Mr. Hall introduced house bill No. 122:

“A bill for an act fixing the time for holding elections; regulating the manner of conducting state, district, county and precinct elections; prescribing the manner of making nominations of candidates; providing for printing and distributing ballots by public officers at public expense; to prevent frauds, and punish crimes affecting the right of suffrage; to repeal all of an act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punish-

ment of frauds affecting the elective franchise, and repealing title 1 of chapter 14 of the miscellaneous laws of Oregon, approved February 24, 1885; to repeal all of an act entitled an act to amend sections 4, 10, 14, 15 and 24 of an act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title 1 of chapter 14 of the miscellaneous laws of Oregon, approved February 24, 1885, approved November 25, 1885; to repeal all of an act entitled an act to amend section 49 of an act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title 1 of chapter 14 of the miscellaneous laws of Oregon, approved February 24, 1885, approved November 25, 1885; to repeal all of an act entitled an act relating to elections, approved October 19, 1872; to repeal sections 26, 27 and 28 of an act entitled an act relating to elections, and the mode in filling vacancies in office, approved October 29, 1870; to repeal all of an act entitled an act to amend section 2507 of Hill's annotated laws of Oregon, relating to elections and ballot paper, approved February 20, 1889, the same being identical with titles 1 and 2 of chapter 14, sections 2499 to 2537, both inclusive, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, and to repeal all acts and parts of acts in conflict with this act."

The bill was read the first time and passed to its second reading without question.

Mr. Hall moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jenuings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Montgomery, Moor of Benton, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Moore of Washington and Morey—2.

Not voting—Messrs. Crook, Hardy and Miller—3.

So the rules were suspended, the bill read the first time by title and passed to a second reading without question.

Mr. Stewart introduced house bill No. 123:

"A bill for an act to amend section 3013, chapter 21, title 1, relating to conveyances, as compiled and annotated by W. Lair Hill."

The bill was read the first time and passed to a second reading without question.

Mr. Stephenson introduced house bill No. 124:

"A bill for an act appropriating money to aid Crook county in constructing a wagon road from Mitchell, in said county of Crook, to the county line between Wasco and Crook counties."

The bill was read the first time and passed to a second reading without question.

On motion of Mr. Story, house bill No. 17 was referred to the engrossing committee.

Mr. Story gave notice that the bill would be read a third time and placed upon its final passage to-morrow.

The speaker appointed Messrs. Starr and McAlister as additional members of the committee to investigate the state asylum for insane under house resolution No. 11.

The report from the state treasurer under house resolution No. 16 was received, and, on motion of Mr. Miller, ordered printed.

Mr. McCall introduced house bill No. 125:

"A bill for an act to regulate the running of railroad trains and to provide for their stopping before crossing draw-bridges and railroad crossings."

The bill was read the first time and passed to a second reading without question.

Mr. Snider introduced house bill No. 126:

"A bill for an act to amend sections 4 and 8 of an act entitled an act to incorporate the town of Linkville, Oregon, filed in the office of the secretary of state February 25, 1889."

Mr. McCoy moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Moore of Washington and Morey—2.

Not voting—Messrs. Butler and Hardy—2.

So the rules were suspended, the bill was read the first time by title, and passed to second reading without question.

Mr. Holmes introduced house bill No. 127:

"A bill for an act to amend section 6 of an act entitled an act to amend sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 18 of an act entitled an act to incorporate the city of Salem, and all acts amendatory thereof, otherwise known as the charter of the said city of Salem, approved October, 1862, and sections 27 and 36 of the act supplemental thereto, approved February 16, 1887, filed in the office of the secretary of state February 25, 1889."

The bill was read the first time and passed to its second reading without question.

Mr. Hall introduced house bill No. 128:

"A bill for an act to amend section 26 of an act to incorporate the city of Portland, approved October 24, 1882."

The bill was read the first time and passed to a second reading without question.

Mr. Hartman introduced house bill No. 129:

"A bill for an act to prevent unnecessary and unjust expenses in civil and criminal causes and proceedings."

The bill was read the first time and passed to its second reading without question.

Mr. Hall introduced house bill No. 130:

"A bill for an act to amend sections 1, 8 and 9 of an act entitled an act to provide for and regulate the offices of justice of the peace and constable, approved October 21, 1864, the same being sections 2486, 2492 and 2493 of the laws of Oregon, as compiled and annotated by W. Lair Hill."

The bill was read the first time and passed to second reading without question.

Mr. Thomas introduced house bill No. 131:

"A bill for an act to amend an act entitled an act to organize school districts in incorporated towns of ten thousand inhabitants, and to provide for the maintenance and government of public schools therein, approved October 26, 1882."

Mr. Thomas moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Myer,

Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Moore of Washington and Morey—2.

Not voting—Messrs. Crook, Johnston and Montgomery—3.

So the rules were suspended, the bill read the first time by title and passed to second reading without question.

Mr. Thomas introduced house bill No. 132:

“A bill for an act to amend an act entitled an act to organize school districts in incorporated towns of ten thousand inhabitants, and to provide for the maintenance and government of public schools therein, approved October 26, 1882.”

The bill was read the first time and passed to a second reading without question.

Mr. Thomas introduced house bill No. 133:

“A bill for an act to amend an act entitled an act to organize school districts in incorporated towns of ten thousand inhabitants, and to provide for the maintenance and government of public schools therein, approved October 26, 1882.”

The bill was read the first time and passed to a second reading without question.

Mr. Hartman introduced house bill No. 134:

“A bill for an act to appropriate money to aid the county court of Clackamas county to construct a wagon road from a point commencing at the northwest corner of the A. Marquam donation land claim to the Wilhoit soda springs, in Clackamas county, Oregon.”

The bill was read the first time and passed to its second reading without question.

Mr. Crook introduced house bill No. 135:

“A bill for an act to amend section 2885 of chapter 18 of title 3 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.”

The bill was read the first time and passed to its second reading without question.

Mr. Myer introduced house bill No. 136:

“A bill for an act to repeal chapter 42 of the laws of Oregon, as compiled by W. Lair Hill.”

The bill was read the first time and passed to second reading without question.

Mr. Jennings introduced house bill No. 137:

“A bill for an act to amend sections 3471 and 3480, chapter 41, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, relating to the publication of the financial condition of counties.”

The bill was read the first time and passed to second reading without question.

Mr. Jennings introduced house bill No. 138:

"A bill for an act to amend section 2798 of the laws of Oregon, relating to the delinquency of taxes and penalty therefor."

The bill was read the first time and passed to second reading without question.

Mr. Holmes introduced house bill No. 139:

"A bill for an act to amend sections 2166 and 2167 of the justices' code, as compiled by W. Lair Hill."

The bill was read the first time and passed to its second reading without question.

Mr. Holmes introduced house bill No. 140:

"A bill for an act to provide for the compulsory education of blind persons in the state of Oregon, and to provide for the enforcement thereof."

The bill was read the first time and passed to its second reading without question.

Mr. Paquet introduced house bill No. 141:

"A bill for an act to appropriate money to aid the county court of Clackamas county to construct a wagon road from the north end of Baker's ferry bridge to Eagle Creek postoffice, in Clackamas county."

The bill was read the first time and passed to its second reading without question.

Mr. Holmes introduced house bill No. 142:

"A bill for an act to amend section 7 of an act entitled an act to promote drainage for agricultural and sanitary purposes, which act was filed in the office of the secretary of state February 21, 1889."

The bill was read the first time and passed to its second reading without question.

Mr. Shedd introduced house bill No. 143:

"A bill for an act to regulate the transportation of passengers and freight by railroad corporations, and to amend section 4029 of title 1 of chapter 73 of the miscellaneous laws of Oregon, as compiled by W. Lair Hill."

Mr. Shedd moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Myer, Mulkey, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell,

Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Moore of Washington and Morey—2.

Not voting—Messrs. Crook, Jennings, Merritt, Paquet and Snider—5.

So the rules were suspended, the bill read the first time by title, and passed to second reading without question.

Mr. Holmes introduced house bill No. 144:

“A bill for an act to amend section 2057 of the laws of Oregon, as compiled and annotated by W. Lair Hill, the same being the general provisions in relation to civil actions in justices’ courts.”

The bill was read the first time and passed to second reading without question.

Mr. Holmes introduced house bill No. 145:

“A bill for an act to amend section 2853 of the miscellaneous laws of Oregon, as compiled by W. Lair Hill.”

The bill was read the first time and passed to second reading without question.

Mr. Armstrong introduced house bill No. 146:

“A bill for an act for the condemning of 30 feet of land along the water ditch of the Oregon state penitentiary, from the east line of the land belonging to the Oregon state penitentiary, in an easterly and southeasterly direction across the land of Ellen Savage and Fred Yenke, to the head gate of said ditch on Mill creek.”

The bill was read the first time and passed to second reading without question.

Mr. Wright introduced house bill No. 147:

“A bill for an act entitled an act to amend an act entitled an act to amend section 2335, chapter 10, volume 2, of the miscellaneous laws of Oregon, as compiled by W. Lair Hill, and relating to county courts.”

The bill was read the first time and passed to its second reading without question.

Mr. Holmes introduced house bill No. 148:

“A bill for an act to repeal section 4002 and the following sections to and inclusive of section 4037 of the laws of Oregon, as compiled by W. Lair Hill, and sections 4002, 4003, 4007 thereof, as the same was amended by the act of the legislature as found in the session laws of said state for 1889.”

The bill was read the first time and passed to its second reading without question.

Mr. Dustin introduced house bill No. 149:

“A bill for an act to relocate the county seat of Grant county,

Oregon; to provide for the submission of said relocation to the voters of said county; to regulate the manner and fix the time of said submission and of the removal of the records and business of said county."

The bill was read the first time and passed to second reading without question.

Mr. Johnston by request introduced house bill No. 150:

"A bill for an act to create the county of Cascade, and to fix the salaries of county judge, treasurer and stock inspector thereof."

Mr. Johnston moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Coleman, Crook Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Montgomery, Moor of Benton, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Not voting—Messrs. Holmes and Miller—2.

Absent—Messrs. Moore of Washington and Morey—2.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. Baker, by request, introduced house bill No. 151:

"A bill for an act to establish the Oregon soldiers' home."

Mr. Baker moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Montgomery, Moor of Benton, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Moore of Washington and Morey—2.

Not voting—Mr. Miller—1.

So the rules were suspended, the bill read the first time by title and passed to its second reading without question.

Mr. Butler introduced house bill No. 152:

"A bill for an act to amend section 2318 of Hill's annotated laws of Oregon, relating to notaries public."

The bill was read the first time and passed to a second reading without question.

Mr. Butler introduced house bill No. 153:

"A bill for an act to amend section 495 of chapter 5, title 7, of the general laws of Oregon, as compiled and annotated by William Lair Hill."

The bill was read the first time and passed to a second reading without question.

Mr. Myer introduced house bill No. 154:

"A bill for an act to amend section 3015 of Hill's annotated laws of Oregon, relating to acknowledgments of deeds by a married woman, and to repeal an act to amend section 3015 of the laws of Oregon, as compiled and annotated by W. Lair Hill, approved February 25, 1889."

The bill was read the first time and passed to its second reading without question.

Mr. Moor of Benton introduced house bill No. 155:

"A bill for an act to amend sections 3662 and 3665 of title 6 of chapter 54 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, relating to the disposal of opium and other poisonous drugs."

The bill was read the first time and passed to its second reading without question.

Mr. Butler introduced house bill No. 156:

"A bill for an act to amend section 2277 of title 2 of chapter 4 of Hill's annotated laws of Oregon, relating to the creation of Polk county, state of Oregon, and defining the boundaries thereof."

The bill was read the first time and passed to its second reading without question.

Mr. Butler moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambée, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Montgomery, Moor of Benton, Myer, Mulkey, Paquet, Reed, Richey,

Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Moore of Washington and Morey—2.

Not voting—Messrs. Littig, Miller and Wilkins—3.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Butler, the bill was referred to the committee on counties.

Mr. Minto introduced house bill No. 157:

“A bill for an act to provide for the construction of a fishway over the falls of the Willamette river at Oregon City, and to appropriate money therefor.”

The bill was read the first time and passed to a second reading without question.

Mr. Reed introduced house bill No. 158:

“A bill for an act to protect salmon and other food fish in the state of Oregon and upon all waters upon which this state has constitutional jurisdiction.”

The bill was read the first time and passed to a second reading without question.

Mr. Henry introduced house bill No. 159:

“A bill for an act to appropriate money to aid the county court of Linn county in constructing a wagon road in the Cascade mountains in Linn county.”

The bill was read the first time and passed to a second reading without question.

Mr. Merritt introduced house bill No. 160:

“A bill for an act entitled an act granting to the Central Point Sugar Pine Flume Company the right of way and to authorize the construction and maintenance of a system of flumes for irrigating, manufacturing and other purposes in Jackson county, Oregon.”

Mr. Merritt moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Montgomery, Moor of Benton, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas,

Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Moore of Washington and Morey—2.

Not voting—Mr. Miller—1.

So the rules were suspended, the bill read the first time by title and passed to second reading without question.

On motion of Mr. McCall, the house adjourned to Tuesday morning, January 20, at 10 o'clock.

R. R. HAYS,
Chief clerk.

TUESDAY, JANUARY 20, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 20, 1891. }

The house was called to order at 10 A. M., Mr. Speaker in the chair.

The roll was called.

All the members were present.

The speaker called Mr. Miller to the chair.

The reading of the journal of yesterday was, on motion, dispensed with.

Mr. Geer introduced house bill No. 161:

"A bill for an act to grant right of way to the Capital City Railway Company across state lands from the penitentiary to the asylum."

The bill was read the first time and passed to its second reading without question.

Mr. Speaker resumed the chair.

Mr. Welch introduced house bill No. 162:

"A bill for an act to be entitled an act to authorize the Astoria, Seashore & Eastern Railroad Company to construct bridges across Young's bay and Lewis and Clark river, in the county of Clatsop, state of Oregon."

The bill was read the first time and passed to its second reading without question.

Mr. Stewart introduced house bill No. 163:

"A bill for an act to amend section 3279 of Hill's annotated laws of Oregon, being section 1 of an act entitled an act to regulate the admission of foreign surety companies to do business in this state,

and to facilitate the giving of undertakings and bonds required by law, approved February 26, 1885."

The bill was read the first time and passed to its second reading without question.

Mr. Tracy introduced house bill No. 164:

"A bill for an act to promote peace and good order in society."

The bill was read the first time and passed to its second reading without question.

Mr. McCracken introduced house bill No. 165:

"A bill for an act for the relief of David McCully, to reimburse him for money which he paid into the treasury of the state of Oregon, September 21, 1878, for what was supposed to be swamp land, but which has subsequently been determined by the La Grande office, in this state, to be not swamp land, and the said David McCully having been thereby deprived of the rights to purchase the same as swamp land."

"Whereas on September 21, 1878, David McCully applied to the board of commissioners of this state for the sale of school and university land, said board being *ex officio* swamp land commissioners, and filed his application to purchase the west half of the west half, and the northeast quarter of the southwest quarter, section 8, in township 2 south, range 45 east of the Willamette meridian, consisting of 200 acres of land, and then and there paid into the treasury of the state of Oregon the first installment to be paid thereon of the purchase price, to wit, \$40, and received from said board of commissioners a swamp land certificate, which bears date April 5, 1881; and

Whereas upon a contest duly made before the land office at La Grande said 200 acres of land was decided and declared by said land office not to be swamp land, and that said David McCully could not purchase the same of the state of Oregon as swamp land, and that he would have to surrender up the same to the contestant; which, by reason of said decision, he was compelled to do, and did so surrender up to his contestant; and

Whereas said David McCully, being deprived of the privilege of purchasing said land, has produced his said swamp land certificate to the legislature of the state of Oregon, for the purpose of allowing the same to be cancelled, and asks that he be reimbursed said sum of \$40, together with interest thereon, at the rate of 8 per cent per annum, since said September 21, 1878, amounting in all to \$79.15."

The bill was read the first time and passed to second reading without a question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has appointed as a committee on the part of the senate, under senate concurrent resolution No. 7, to investigate and report on the state agricultural college, Messrs. Hatch and Veatch.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 20, 1891. }

Mr. Speaker:

I am directed by the speaker to inform you that he has appointed as a committee on the part of the senate, under senate concurrent resolution No. 6, to examine the books and papers of the state land department, Messrs. Cogswell and Eakin.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

Mr. Hall introduced house bill No. 166:

"A bill for an act entitled an act to protect meadow larks, robins and other birds."

The bill was read the first time and passed to second reading without a question.

Mr. Dustin introduced house bill No. 167:

"A bill for an act entitled an act to provide for the improvement of the county road leading from Sumpter valley, in Baker county, Oregon, to Prairie City, in Grant county, Oregon, and to appropriate money therefor."

The bill was read the first time and passed to its second reading without question.

Mr. Barrett introduced house bill No. 168:

"A bill for an act to amend section 249 of Hill's annotated laws of Oregon, being section 7 of an act entitled an act to amend an act entitled an act to provide a code of civil procedure, approved October 11, 1862; and to repeal section 9 of an act entitled an act to

provide a code of civil procedure; approved October 11, 1862, approved October 20, 1864, approved December 20, 1865."

The bill was read the first time and passed to a second reading without question.

Mr. Armstrong, by request, introduced house bill No. 169:

"A bill for an act entitled an act to authorize the publication in county newspapers of the proceedings of county courts, and fix compensation therefor."

The bill was read the first time and passed to a second reading without question.

This being the day appointed by law for the election of United States senator, Mr. Moor of Benton arose and moved that the house proceed to vote for United States senator.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—60.

Nays—None.

In accordance with the request of the speaker, the clerk read the congressional statute pertaining to that subject.

The speaker then directed the clerk to call the roll of the house, and requested each member, as his name was called, to vote for his choice for United States senator.

Mr. Miller placed in nomination Hon. John H. Mitchell.

Mr. Butler placed in nomination Bernard Goldsmith.

The clerk called the roll.

Those who voted for John H. Mitchell were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Crook, Durham, Fox, Hall, Hartman, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Paquet, Reed, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—41.

Those voting for Bernard Goldsmith were:

Messrs. Barnes, Butler, Coleman, Dustin, Furry, Gambee, Garfield, Hansard, Hardy, Henry, Holmes, Killian, McAlister, Myer, Mulkey, Richey, Shedd, Stephenson and Thompson—19.

The speaker announced that John H. Mitchell had received a majority of all the votes cast in the house.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate joint memorial No. 1, praying congress to pass a bill granting the Umatilla Irrigation Company right of way across the Umatilla Indian reservation.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Barnes moved that the house concur.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—Mr. Dustin—1.

Absent—Messrs. Garfield, McCoy, Merritt, Montgomery and Paquet—5.

So senate joint memorial No. 1 was concurred in.

Under house concurrent resolution No. 10, the speaker appointed Messrs. Lamson, McCracken and Hardy as committee on the part of the house to investigate the school for the blind.

Mr. Crook introduced the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO. 11.

Resolved by the House, the Senate concurring:

That there be appointed a joint committee of three from the house and two from the senate, which committee shall have charge of all bills making appropriations for the building of wagon roads.

Resolution adopted.

Mr. Holmes introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 28.

Resolved, That the committee on judiciary be and it is hereby instructed to consider that part of the governor's message found on page 17 thereof, which relates to proper legislation concerning the control of freights and fares, and report by bill, or otherwise, to this body what in the judgment of said committee is most beneficial and expedient.

Mr. Hall moved to amend the resolution by substituting the committee on railways and transportation for the committee on judiciary.

Amendment adopted.

The resolution as amended was adopted.

On motion of Mr. Morey, it was ordered that the house adjourn at 11:30 A. M. today.

Mr. Holmes introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 29.

Whereas it is the opinion of a large portion of our citizens that the constitution of Oregon is in many respects repugnant to the changed condition of affairs since that instrument was adopted; therefore, be it

Resolved, That the judiciary committee of this house is directed to report a bill for its consideration, looking to a call of a convention for the adoption of a proposed new constitution of said state.

Resolution adopted.

Mr. Montgomery introduced the following joint resolution and moved its adoption:

HOUSE JOINT RESOLUTION NO. 3.

Whereas the United States senate committee on foreign affairs, by a unanimous vote, has recommended aid be given by guaranteeing to the principal three per cent interest on the bonds of the Maritime Canal Company, known as the Nicaragua canal; and

Whereas ample security is to be taken to protect the government of the United States in such guarantee by holding in the national treasury at least twenty per cent of said Maritime Canal Company's stock; and

Whereas the completion of the Nicaragua canal is of momentous interest to all Pacific coast states and to none more than Oregon; now therefore be it

Resolved, That our senators and member in congress be and they

are hereby requested to support any bill looking to the early completion of the work of the Nicaragua Maritime Canal Company, based upon the principles of the report of the committee on foreign relations of the United States senate.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambée, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson,, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Not voting—Messrs. Merritt and Montgomery—2.

Resolution adopted.

By unanimous consent, the following bills were introduced:

Mr. Armstrong, by request, introduced house bill No. 170:

“A bill for an act entitled an act to provide for the publication of the laws as enacted by the legislative assembly of the state of Oregon; to define terms of such publication and provide compensation therefor.”

The bill was read the first time and passed to second reading without a question.

Mr. Armstrong, by request, introduced house bill No. 171:

“A bill for an act to amend the charter of the town of Woodburn, Oregon.”

The bill was read the first time and passed to second reading without question.

Mr. Manning introduced house bill No. 172:

“A bill for an act entitled an act to create a west-side district board of agriculture, to define their duties and to appropriate money therefor.”

The bill was read the first time and passed to its second reading without question.

Mr. Wilkins, by request, introduced house bill No. 173:

“A bill for an act to provide for the construction of a wagon road from Owen’s mill, on Williams creek, to Lake creek, in Lane county, Oregon, and to appropriate money therefor.”

Mr. Wilkins moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington; Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—59.

Nays—None.

Not voting—Mr. Blundell—1.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without question.

House bill No. 1 coming on for a second reading, Mr. Jennings moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Not voting—Messrs. Blundell and Snider—2.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Minto, the bill was referred to the committee on assessment and taxation.

House bill No. 2 coming on for a second reading, was read the second time.

On motion of Mr. Thomas, the bill was referred to the committee on military affairs.

House bill No. 3 coming on for a second reading, Mr. McCoy moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall,

Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Not voting—Messrs. Blundell and Miller—2.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Richey, the bill was referred to the committee on counties.

House bill No. 4 coming on for the second reading, was read a second time.

On motion of Mr. Gambee, the bill was referred to the committee on roads and highways.

House bill No. 5 coming on for the second reading, was read a second time.

On motion of Mr. Gambee, the bill was referred to the committee on roads and highways.

House bill No. 6 coming on for a second reading, Mr. Hall moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Not voting—Messrs. Blundell and Miller—2.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Gambee, the bill was referred to the committee on agriculture.

House bill No. 7 coming on for a second reading, Mr. Gambee moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meusdorffer, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Not voting—Messrs. Blundell and Miller—2.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Gambee, the bill was referred to the committee on assessment and taxation.

House bill No. 9 coming on for the second reading, was read a second time.

On motion of Mr. Killian, the bill was referred to the committee on judiciary.

House bill No. 10 coming on for the second reading, was read a second time.

On motion of Mr. Paquet, the bill was considered engrossed and passed to a third reading to-morrow.

House bill No. 11 coming on for the second reading, was read a second time.

On motion of Mr. Durham, amended by Mr. Hall, the bill was referred to the committee on public buildings.

House bill No. 12 coming on for the second reading, was read a second time.

Before further action was taken, the house adjourned until Wednesday at 10 o'clock A. M., as per previous order, the hour of 11:30 having arrived.

R. R. HAYS,
Chief clerk.

WEDNESDAY, JANUARY 21, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 21, 1891. }

The house was called to order at 10 o'clock A. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Barrett, McCracken, Montgomery and Thomas.

The session was opened with prayer by Rev. Dr. Gwynne of the Presbyterian church, Salem.

The journal of yesterday was read and duly approved.

Hon. W. T. Hume was, on motion of Mr. Story, invited to a seat within the bar of the house; also Hon. R. A. Miller, on motion of Mr. Miller.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 5.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 10, to visit the school for the blind.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 11, for the appointment of a joint committee to have charge of all bills making appropriations for wagon roads.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

The speaker, under house concurrent resolution No. 11, appointed Messrs. Crook, Jennings and Tracy as special committee on the part of the house, to whom shall be referred all bills for road appropriations.

Mr. Story moved that the rules be suspended and senate bill No. 5 be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended, the bill read the first time by title and passed to a second reading without question.

Mr. Story moved that the rules be suspended and senate bill No. 5 be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meusdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

Not voting—Messrs. Hall and Hardy—2.

So the bill was read a second time by title.

On motion of Mr. Story, the bill was made a special order for Friday the 23d at 10 o'clock A. M.

Mr. Merritt moved that house bill No. 12 be considered engrossed and passed to third reading.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield,

Hansard, Hardy, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—Mr. Jennings—1.

Not voting—Messrs. Hall, Hartman, McCracken, Montgomery, Morey and Story—6.

So house bill No. 12 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Hall, Hartman, McCracken, Montgomery, Morey and Story—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

SECOND READING OF HOUSE BILLS.

House bill No. 8 coming on for a second reading, Mr. Stewart moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—Mr. Barnes—1.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

Not voting—Mr. Minto—1.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Stewart, the bill was referred to a special committee consisting of the Multnomah delegation, with leave to report at any time.

House bill No. 13 coming on for a second reading, Mr. Weed moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Weed, the bill was referred to the committee on corporations.

Mr. McCracken was granted leave of absence until Friday.

House bill No. 14 coming on for a second reading, Mr. McCoy moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Barnes, the bill was referred to the committee on assessment and taxation.

House bill No. 15 coming on for a second reading, Mr. Moor of Benton moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Moor of Benton, amended by Mr. Blundell, the bill was referred to the committee on agriculture.

House bill No. 16 coming on for a second reading, was read a second time.

On motion of Mr. Hall, the bill was referred to a special committee, composed of the representatives of Multnomah county, with leave to report at any time.

House bill No. 18 coming on for a second reading, was read a second time.

On motion of Mr. Thomas, the bill was referred to the committee on judiciary.

House bill No. 19 coming on for a second reading, Mr. Thomas obtained unanimous consent to withdraw the same.

House bill No. 20 coming on for a second reading, Mr. Thomas moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Thomas, the bill was referred to a special committee, consisting of the Multnomah delegation, with leave to report at any time.

House bill No. 21 coming on for a second reading, Mr. Stewart moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—None.

Not voting—Messrs. Armstrong, Butler and Miller—3.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Stewart, the bill was referred to the committee on mining.

House bill No. 22 coming on for a second reading, was read a second time.

On motion of Mr. Stewart, the bill was referred to the committee on alcoholic traffic.

House bill No. 23 coming on for a second reading, was read a second time.

On motion of Mr. Welch, the bill was referred to the committee on fishing.

House bill No. 24 coming on for a second reading, was read a second time.

On motion of Mr. Weed, the bill was considered engrossed and passed to its third reading.

House bill No. 25 coming on for a second reading, was read a second time.

On motion of Mr. Jennings, the bill was referred to the committee on education.

House bill No. 26 coming on for a second reading, was read a second time.

On motion of Mr. Johnston, the bill was referred to the special committee on road appropriations.

House bill No. 27 coming on for a second reading, was read a second time.

On motion of Mr. Coleman, the bill was referred to the committee on agriculture.

House bill No. 28 coming on for a second reading, was read a second time.

On motion of Mr. Meussdorffer, the bill was referred to the committee on corporations, with leave to report at any time.

House bill No. 29 coming on for a second reading, was read a second time.

On motion of Mr. Meussdorffer, the bill was referred to the committee on judiciary.

House bill No. 30 coming on for a second reading, was read a second time.

On motion of Mr. Meussdorffer, the bill was referred to the committee on judiciary, with leave to report at any time.

House bill No. 31 coming on for a second reading, Mr. Stewart moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Not voting—Mr. Miller—1.

Absent—Messrs. McCracken, Montgomery and Morey—3.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Snider, the bill was referred to the committee on judiciary.

House resolution No. 27, being special order for to-day, was taken up and its adoption moved by Messrs. Stillwell and Story.

Resolution was lost.

House bill No. 32 coming up for a second reading, was read a second time.

On motion of Mr. Welch, the bill was referred to the committee on judiciary.

House bill No. 33 coming on for a second reading, Mr. Garfield moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Garfield, the bill was referred to the committee on assessment and taxation.

House bill No. 34 coming up for a second reading, was read a second time.

On motion of Mr. Garfield, the bill was referred to the committee on judiciary.

House bill No. 36 coming on for a second reading, was read a second time.

On motion of Mr. Barrett, the bill was referred to the committee on judiciary.

House bill No. 38 coming on for a second reading, Mr. Stewart moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Not voting—Mr. Miller—1.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Meussdorffer, the bill was referred to a special committee consisting of the Multnomah delegation, with leave to report next Friday.

House bill No. 39 coming on for a second reading, was read a second time.

On motion of Mr. Thompson, the bill was referred to the special committee on road appropriations.

House bill No. 40 coming on for a second reading, was read a second time.

On motion of Mr. Thomas, the bill was referred to a special committee, to consist of the representatives from Multnomah county, with leave to report at any time.

Hon. Samuel Layman was, on motion, invited within the bar of the house.

House bill No. 41 coming on for second reading, Mr. Butler moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended and the bill read second time by title.

On motion of Mr. Myer, amended by Mr. Hall, the bill was referred to the committee on roads and highways.

House bill No. 42 coming on for second reading, was read a second time.

On motion of Mr. Coleman, the bill was referred to the committee on judiciary.

House bill No. 43 coming on for second reading, Mr. Merritt moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee,

Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. McCracken, Montgomery and Morey—3.

So the rules were suspended and the bill read second time by title.

On motion, the bill was referred to the special committee on road appropriations.

House bill No. 44 coming on for a second reading, Mr. Botkin moved that the rules be suspended and the bill be read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery and Morey—3.

Not voting—Mr. Fox—1.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Botkin, the bill was referred to a special committee to be appointed by the chair, with leave to report at any time.

House bill No. 45 coming on for second reading, was read a second time.

On motion of Mr. McCoy, the bill was referred to the committee on roads and highways.

House bill No. 46 coming on for second reading, was read a second time.

On motion of Mr. Welch, the bill was considered engrossed and set for third reading to-morrow.

House bill No. 47 coming on for second reading, was read a second time.

On motion of Mr. Welch the bill was referred to the special committee on road appropriations.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 21, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate concurrent resolution No. 10, for a joint committee to investigate the affairs of the Oregon national guard.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Thomas, the house concurred in the resolution.

The speaker appointed as special committee on house bill No. 44, Messrs. Botkin, Snider and Barnes.

House bill No. 49 coming on for second reading, Mr. Story moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Colman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. McCracken, Montgomery and Morey—3.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Story, the bill was referred to the committee on elections, with leave to report at any time.

The following message was received from the senate and read:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 21, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate joint

memorial No. 1 and senate concurrent resolution No. 3 are reported back as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

Hon. A. J. Dufur was invited within the bar of the house.

House bill No. 51 coming on for a second reading, was read a second time.

On motion of Mr. Weed, the bill was referred to the committee on judiciary.

On motion of Mr. McCall, the senate was requested to return to the house house joint resolution No 2, which was transmitted to the senate by mistake as having passed this body.

The speaker announced that he was about to sign senate joint memorial No. 1, and senate concurrent resolution No. 3, and soon after announced that he had signed senate joint memorial No. 1, and senate concurrent resolution No. 3.

Hon. Penumbra Kelly was invited to a seat within the bar of the house.

By unanimous consent, Mr. Holmes introduced the following concurrent resolution and moved its adoption :

HOUSE CONCURRENT RESOLUTION NO. 12.

Resolved by the House, the Senate concurring :

That a committee of five, three on the part of the house and two on the part of the senate, be appointed to examine into the conduct of the school for deaf and dumb persons, at Salem, its general management and requirements and make due report thereof.

Resolution adopted.

IN JOINT CONVENTION.

Wednesday, January 21, 1891, at 12 o'clock noon, the senate of the state of Oregon came within the bar of the house and the joint convention was called to order by the president of the senate.

The clerk of the senate called the roll of the senate.

All the senators were present except Senators Fullerton and Weatherford.

The clerk of the house called the roll of the house.

All the members were present except Messrs. McCracken, Montgomery and Morey.

The clerk of the senate read the proceedings had in the senate on yesterday relating to the vote taken therein for United States senator.

It appeared upon the records of the senate that John H. Mitchell had received a majority of all the votes cast in that body for United States senator.

The clerk of the house read the proceedings had in the house on yesterday relating to the vote taken therein for United States senator.

It appeared upon the records of the house that John H. Mitchell had received a majority of all the votes cast in that body for United States senator.

The president of the joint convention then announced that John H. Mitchell, having received a majority of all the votes cast in each house, is duly elected United States senator for the term of six years from the 4th day of next March.

Mr. Miller sent the following telegraphic communication to the desk, which was read:

WASHINGTON, D. C., January 20, 1891.

Hon. F. A. Moore, Chairman, and Hon. H. B. Miller, Secretary, Republican Legislative Caucus, Salem, Oregon:

Dispatches just received advising me that I was to-day, on first ballot in two houses of the Oregon legislature, elected as my own successor in the United States senate for the ensuing term of six years.

To be chosen once as a representative of one of the great states of the union in the senate of the United States, is a distinguished honor; to be chosen for the third time is a distinction of an exalted character.

Please accept to yourselves respectively, and kindly convey to each republican member of the senate and house, whose vote I so generously received to-day, my sincere thanks.

I can assure you and them I am profoundly sensible of the great compliment implied in this united action of the representatives of the republican party of Oregon.

I shall endeavor in the future, as I have in the past, to render myself worthy of this renewed expression of confidence by rendering the best possible service at my command to the state and the people of the state by whom I have been thrice honored.

JOHN H. MITCHELL.

On motion of senator Cogswell, the convention was dissolved.

On motion of Mr. Hall, the house adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 21, 1891. }

The house was called to order pursuant to adjournment at 2 P. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Littig, McCracken, Montgomery, Morey and Story.

The speaker requested the chairmen of committees when making reports of bills to make them in duplicate.

The house then proceeded with the second reading of bills in regular order.

House bill No. 56 coming on for second reading, the bill was read a second time.

On motion of Mr. Coleman, the bill was referred to the committee on judiciary.

House bill No. 57 coming on for second reading, Mr. Thomas moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. McCracken, Montgomery and Morey—3.

Not voting—Messrs. McCoy and Story—2.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Thomas, the bill was referred to the committee on judiciary.

House bill No. 58 coming on for a second reading, was read a second time.

On motion of Mr. Blundell, the bill was referred to the committee on roads and highways.

House bill No. 59 coming on for a second reading, was read a second time.

On motion of Mr. Moore of Washington, the bill was referred to the committee on counties.

The speaker announced that Mr. Snider desiring to be relieved from the special committee on house bill No. 44, he had excused him and appointed Representative Henry in his stead.

House bill No. 64 coming on for a second reading, was read a second time.

On motion of Mr. Welch, the bill was referred to the committee on judiciary.

House bill No. 65 coming on for a second reading, was read a second time.

On motion of Mr. Welch, the bill was referred to the committee on judiciary.

House bill No. 98 coming on for second reading, Mr. Miller moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery and Morey—3.

Not voting—Mr. Story—1.

So the rules were suspended and the bill read a second time by title, and was referred to the special committee on road appropriations.

By unanimous consent, Mr. Armstrong introduced the following joint resolution and moved its adoption:

HOUSE JOINT RESOLUTION NO. 4.

Whereas the late Hon. Sam'l B. Thurston, first delegate in congress from the territory of Oregon, while a member of the legislature of the provisional government of Oregon territory during the session of 1848-49 received in payment for per diem, promissory certificates bearing interest at the rate of six per cent. per annum from date to the amount of thirty-four dollars, bearing date February 16, 1849, duly signed by N. R. Kilborn, treasurer; and

Whereas said promissory certificates were not paid for want of funds and remain unpaid to this date; therefore, be it

Resolved by the House, the Senate concurring:

That the treasurer of this state be and is hereby authorized to receive said promissory certificates numbered 994, 995, 996, 999, 1000, 1001 and 1002 respectively, amounting in the aggregate to the sum of thirty-four dollars, less the accrued interest, and upon the receipt he shall proceed to cancel the same and place the amount thereof with accrued interest to the credit of a trust fund to be held in perpetuity, the interest of which at six per cent. per annum shall be paid annually to the trustees of the I. O. O. F. cemetery of Salem, Oregon, the same to be by them expended in keeping in repair the monument erected in said cemetery by the state of Oregon to the memory of the said Samuel R. Thurston.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—52.

Nays—None.

Absent—Messrs. McCracken, Montgomery and Morey—3.

Not voting—Messrs. Butler, Fox, Hall, McCoy and Story—5.

So the joint resolution was adopted.

By unanimous consent, Mr. Garfield introduced the following joint memorial and moved its adoption:

HOUSE JOINT MEMORIAL NO. 3.

Whereas the congress of the United States has made an appropriation of \$150,000 for the purpose of commencing the work of building a harbor of refuge at some point on the Pacific coast; and

Whereas the United States board of engineers for the Pacific coast, after careful examination, recommended Port Orford, in Oregon, as the best location for that great national work; and

Whereas the building of a harbor at Port Orford would not only be of incalculable advantage to the commerce of the nation, but

would at the same time provide for Southern and Eastern Oregon a much-needed outlet for its productions; therefore

Resolved by the House, the Senate concurring :

That our senators and representative are hereby earnestly requested to use all honorable means to procure immediate and ample appropriation of money from the general government for the purpose of building a breakwater and harbor of refuge at Port Orford, Oregon.

Resolved, That the governor be requested to transmit a copy of the foregoing resolution to each of our senators and representative in congress.

On motion of Mr. Miller, the memorial was adopted.

Mr. Story was excused until to-morrow.

House bill No. 50 was referred to the committee on assessment and taxation.

Mr. Armstrong moved to substitute for house bill No. 50 a bill passed at the last regular session, and then numbered house bill No.——.

The chair decided the substitution would be out of order.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 21, 1891. }

Mr. Speaker :

I am directed by the president to inform you that, according to your message, he herewith returns to you house joint resolution No. 2, the same having been referred to the committee on federal relations, who report the same back to the senate without recommendation.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

By unanimous consent, the following bills were introduced :

Mr. Barrett introduced house bill No. 174:

“A bill for an act to punish persons for refusing to aid an officer in the lawful discharge of his duties.”

The bill was read the first time and passed to a second reading without a question.

Mr. Barrett introduced house bill No. 175:

“A bill for an act to punish any person who shall willfully as-

sault an officer of this state while in the lawful discharge of his duty or on account thereof."

The bill was read the first time and passed to a second reading without a question.

Mr. Starr introduced house bill No. 176:

"A bill for an act to amend sections 1881 [659] and 1882 [660] of chapter 8, title 2, of the criminal code, as compiled and annotated by W. Lair Hill."

The bill was read the first time and passed to a second reading without a question.

Mr. Hartman introduced house bill No. 177:

"A bill for an act to authorize county courts to offer rewards for the arrest and conviction of criminals."

The bill was read the first time and passed to a second reading without a question.

Mr. Moor of Benton introduced house bill No. 178:

"A bill for an act to amend an act entitled an act to amend the charter of the city of Newport, Benton county, Oregon."

Mr. Moor of Benton moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambée, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended, the bill read the first time by title, and passed to its second reading without question.

Mr. Butler introduced house bill No. 179:

"A bill for an act to amend section 984, chapter 15, title 1, of the general laws of Oregon, as compiled and annotated by William Lair Hill."

The bill was read the first time and passed to its second reading without question.

Mr. Butler introduced house bill No. 180:

"A bill for an act entitled an act to amend section 2472 of title 4, chapter 13, of the laws of the state of Oregon, as compiled and annotated by W. Lair Hill, relating to the salaries of county treasurers."

The bill was read the first time and passed to its second reading without question.

Mr. Butler introduced house bill No. 181:.

"A bill for an act to incorporate the city of Dallas, in the county of Polk and state of Oregon; and to repeal an act entitled an act to incorporate the town of Dallas, in the county of Polk and state of Oregon; and to repeal an act entitled an act to incorporate the town of Dallas, in the county of Polk and state of Oregon, approved October 20, 1874; also to repeal an act entitled an act supplemental thereto and to amend an act entitled an act to incorporate the town of Dallas, in the county of Polk and state of Oregon, approved October 20, 1874, approved October 19, 1878, approved February 20, 1885; and to repeal an act entitled an act to amend section 14 of an act entitled an act to incorporate the town of Dallas, in Polk county, Oregon, approved February 20, 1885, approved February 21, 1887."

Mr. Butler moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without question.

Mr. Butler moved that the rules be suspended and house bill No. 181 be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Butler, the bill was considered engrossed for a third reading to-morrow.

Mr. Dustin introduced house bill No. 182:

"A bill for an act to aid the county court of Grant county to bridge the John Day river at Monument, and to appropriate money therefor."

The bill was read the first time and passed to a second reading without question.

Mr. Holmes introduced house bill No. 183:

"A bill for an act to amend section 2991 of the laws of Oregon, as compiled by W. Lair Hill."

The bill was read the first time and passed to a second reading without question.

Hons. Seymour W. Condon and Dr. O. P. S. Plummer being present in the lobby, were, on motion, invited to seats within the bar of the house.

The following message was received from the senate and read.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 21, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has adopted senate joint memorial No. 2, memorializing congress for the passage of a bill for the construction of a boat railway at the dalles of the Columbia river.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Richey moved that the memorial be concurred in.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stillwell,

Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—Mr. Stephenson—1.

Not voting—Messrs. Johnston and Stewart—2.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the joint memorial was concurred in by the house.

Mr. Wilkins introduced house bill No. 184:

“A bill for an act entitled an act to amend section 20 of an act entitled an act to promote drainage for agricultural and sanitary purposes, passed at the fifteenth regular session of the legislative assembly of the state of Oregon, and filed in the office of the secretary of state February 21, 1889.”

The bill was read the first time and passed to a second reading without a question.

Mr. Miller introduced house bill No. 185:

“A bill for an act entitled an act to define and punish unlawful discrimination against the products of Oregon in the matter of the transportation of freights in carloads and the rates to be charged therefor, and to define and establish equal facilities between shippers in the state of Oregon and competition from and to common points in other states.”

Mr. Miller moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambée, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended, the bill read the first time by title and passed to second reading without question.

Mr. Armstrong introduced house bill No. 186:

“A bill for an act to provide for the assessment and collection of taxes, and to repeal an act to amend an act entitled an act to amend an act relating to assessors, passed January 26, 1854, and an act amendatory thereof, passed January 26, 1855, approved October 24, 1864, and an act amendatory thereof, approved December 19, 1865, approved October 29, 1874; also an act to amend sec-

tion 2758 of title 3 of chapter 17 of the annotated laws of Oregon of 1887; also an act to amend sections 2729 and 2733, title 1 of chapter 17 of the annotated laws of Oregon of 1887, relating to property and polls subject to assessment and taxation; also an act to amend section 2364, title 1, chapter 11, of the annotated laws of Oregon of 1887; also an act to amend section 2752, title 3, chapter 17, of the annotated laws of Oregon of 1887, relating to the assessment of property and the levy and collection of taxes; also section 6 of an act to amend sections 2, 3, 4, 5, 6, 7 and 8; and to repeal section 10 of an act, approved October 29, 1874, entitled an act to repeal sections 2 and 4 of an act, approved October 23, 1872, entitled an act to amend chapter 18 of the general laws concerning fees of officers; and to amend an act entitled an act to amend chapter 18 of the general laws concerning fees of officers, approved October 24, 1870; and section 12 of an act approved October 24, 1864, entitled an act to prescribe the fees of certain officers and persons; and section 4 of an act, approved January 12, 1859, entitled an act to amend an act entitled an act to regulate the fees of certain officers and other persons; and section 1 of an act, approved October 12, 1864, entitled an act to fix the distances from the several county seats in this state to the penitentiary at the city of Portland, and regulate the fees of sheriffs for conveying convicts to the penitentiary; and also an act, approved October 29, 1870, entitled an act to regulate the fees of officers in certain counties; and all of an act, approved October 28, 1872, entitled an act to amend an act entitled an act to regulate fees of certain officers in certain counties; and to amend section 5 of an act, approved October 21, 1864, entitled an act to amend an act entitled an act to provide for the collection of taxes; and to repeal an act, approved October 19, 1860; and to prescribe the fees of clerks and sheriffs, approved October 26, 1882; also an act to define the terms land and real property for the purpose of taxation, and to provide where the same shall be assessed and taxed, and to declare what instruments whereby land and real property is made security for the payment of a debt shall be void; and to repeal section 2730, chapter 17, of the annotated laws of Oregon of 1887; also an act to amend section 10 of an act entitled an act to define the terms land and real property for the purpose of taxation, and to provide where the same shall be assessed and taxed, and to declare what instruments whereby land and real property is made security for the payment of a debt shall be void; and to repeal section 2730, title 1, chapter 17, of the annotated laws of Oregon of 1887; also an act exempting firemen from certain duties and taxes, approved February 20, 1885; also an act to prescribe manner for receipting for taxes, and to amend section 2796, title 6,

chapter 17, of the annotated laws of Oregon of 1887; also an act to amend section 4085, title 1, chapter 76, of the annotated laws of Oregon of 1887; also an act empowering the governor, secretary of state and state treasurer to compute and declare the amount of the state taxes, and to apportion the same among the several counties of the state, and to repeal all acts and parts of acts in conflict therewith, approved February 26, 1885; also an act providing for the assessment and collection of taxes upon the rolling stock of railroad companies; and to repeal section 2744, title 2, chapter 17, of the annotated laws of Oregon of 1887; also an act passed at the extra session in 1885, approved November 25, 1885, amending section 6 of an act relating to the fees of certain officers and persons, and printed in the laws of the special session of that year on page 23 of said book; also an act to amend section 4 of an act entitled an act empowering the governor, secretary of state and state treasurer to compute and declare the amount of the state levy of taxes, and to apportion the same among the several counties of the state, and to repeal all acts and parts of acts in conflict therewith, approved February 26, 1885; to provide for the levy of county taxes, and to render valid county levies for the fiscal year 1885; and to repeal all other acts and parts of acts in conflict or inconsistent with this act."

Mr. Armstrong moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

Mr. Armstrong moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield,

Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Armstrong, the bill was referred to the committee on assessment and taxation.

Mr. Crook introduced house bill No. 187:

“A bill for an act to change the name of the town of Ellensburg.”

The bill was read the first time and passed to its second reading without question.

Mr. Crook moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Crook, the bill was considered engrossed and passed to a third reading.

Mr. Wright introduced house bill No. 188:

“A bill for an act to authorize the county clerks in the state of Oregon to certify to the official character of notaries public, and whether instruments are executed according to the laws of the state of Oregon.”

The bill was read the first time and passed to its second reading without question.

Mr. McCall introduced house bill No. 189:

“A bill to amend an act entitled an act to create a state board of horticulture and appropriate money therefor, approved February 25, 1889.”

Mr. Stewart moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended, the bill read the first time by title and passed to its second reading without further question.

Mr. Minto, by request, introduced house bill No. 190:

“A bill for an act for the relief of D. C. Sherman and E. L. Briggs.”

The bill was read the first time and passed to its second reading without question.

Mr. Myer introduced house bill No. 191:

“A bill for an act to incorporate the city of Independence, and to repeal an act entitled an act to incorporate the city of Independence, approved February 26, 1885; and to repeal an act entitled an act to incorporate the town of Independence, in the county of Polk and state of Oregon, approved October 20, 1874; and also an act entitled an act to incorporate the town of Independence in the county of Polk and state of Oregon, approved October 17, 1878; and also an act entitled an act to amend an act entitled an act to incorporate the town of Independence, in the county of Polk and state of Oregon, approved October 17, 1878; approved October 20, 1882; and to repeal an act entitled an act to amend section 2 of an act entitled an act to incorporate the city of Independence; and to repeal an act entitled an act to incorporate the town of Independence, in the county of Polk and state of Oregon, approved October 20, 1874; and also an act entitled an act to incorporate the town of Independence, in the county of Polk and state of Oregon, approved October 17, 1878; and also an act entitled an act to amend an act to incorporate the town of Independence, in the county of Polk and state of Oregon, approved October 17, 1878; approved October 20, 1882; approved February 26, 1885; approved November 28, 1885; and to repeal an act to incorporate the city of Independence, approved February 25, 1889.”

Mr. Myer moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended, the bill read the first time by title and passed to a second reading without question.

Mr. Myer moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended and the bill read the first time by title.

On motion of Mr. Butler, the bill was considered engrossed for a third reading.

Mr. Baker, by request, introduced house bill No. 192:

“A bill for an act to prevent certain animals from running at large.”

Mr. Baker moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Gar-

field, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. Welch introduced house bill No. 193:

“A bill for an act entitled an act to prevent and punish unlawful combinations and other schemes to prevent competition.”

Mr. Welch moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meusdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. Paquet moved that a committee of three be appointed by the speaker on rules for the government of the house.

Mr. Thomas gave notice that to-morrow he would introduce an amendment to the rules of the house providing for the first reading of senate bills.

Mr. Paquet's motion was carried.

Mr. McCoy introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 30.

Resolved, That the secretary of state is hereby authorized to furnish each clerk at the chief clerk's desk with a copy of the general laws of the state of Oregon, as annotated by W. Lair Hill.

The resolution was lost.

The speaker announced that the third reading of bills was the next regular order of business.

THIRD READING OF HOUSE BILLS.

House bill No. 10 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Furry, Garfield, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Tracy, Weed, Wilkins, and Mr. Speaker—43.

Nays—Messrs. Hall, Hansard, Meussdorffer, Stephenson and Thompson—5.

Excused—Messrs. Thomas, Welch and Wright—3.

Not voting—Mrs. Crook, Fox, Gambee, Miller and Minto—5.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

So the bill passed; and there being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 24 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

Not voting—Messrs. Crook and Johnston—2.

So the bill passed; and there being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 46 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Fox, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Littig,

McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stewart, Stillwell, Thomas, Tracy, Weed, Welch, Wright, and Mr. Speaker—45.

Nays—Messrs. Coleman, Dustin, Furry, Jennings, Manning, Shedd, Stephenson, Thompson and Wilkins—9.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

Not voting—Messrs. Crook and Minto—2.

So the bill passed; and there being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 181 was read the third time.

On motion of Mr. Armstrong, the bill was referred to the committee on corporations for amendment.

House bill No. 187 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hausard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

Not voting—Messrs. Crook, Littig and Stewart—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 191 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hausard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. McCracken, Montgomery, Morey and Story—4.

Not voting—Messrs. Littig and Miller—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Hall, the house adjourned to Thursday, January 22, at 10 A. M.

R. R. HAYS,
Chief clerk.

THURSDAY, JANUARY 22, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 22, 1891. }

The house was called to order at 10 A. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Hartman, Henry, Leeper, McCracken, Morey and Story.

Prayer was offered by Rev. Mr. Bowersox of the Evangelical Church, Salem.

On motion of Mr. Blundell, the reading of the journal of yesterday was dispensed with.

Mr. Speaker appointed as special committee on rules of the house, Messrs. Paquet, Manning and Coleman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, Oregon, }
January 21, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bill No. 12.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, Oregon, }
January 22, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has

passed senate joint resolution No. 1, for the building of a portage railway around the obstruction in the Columbia river at the dalles, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Paquet, the resolution was made special order for to-morrow at 10 o'clock A. M.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 21, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 12, for a committee to visit the school for the deaf.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

The committee on engrossed bills submitted the following report :

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 21, 1891. }

Mr. Speaker :

Your committee on engrossed bills, to whom was referred house bill No. 17, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

Mr. Holmes introduced the following concurrent resolution and moved its adoption :

HOUSE CONCURRENT RESOLUTION NO. 13.

Resolved by the House, the Senate concurring :

That a committee of five be appointed, consisting of three from the house and two from the senate, to visit the state normal school at Monmouth in Polk county, Oregon, and investigate the condition

of said school and the property and buildings, and the management of said school, with authority to report at any time.

Resolution adopted.

Mr. Thompson introduced the following joint memorial and moved its adoption:

. HOUSE JOINT MEMORIAL NO. 4.

To the Honorable the Senate and House of Representatives of the United States:

Your memorialists, the legislative assembly of the state of Oregon, respectfully represent that a large number of poor settlers in Oregon, within the limit of the recently-restored Northern Pacific land grant, have been compelled to pay the full maximum price of \$2.50 per acre, in pre-empting lands, which, since the restoration, can be pre-empted at the minimum price of \$1.25 per acre; that these settlers have in many cases mortgaged their farms in order to raise the necessary \$400 purchase money, and that they are legally and rightfully entitled to a rebate of \$1.25 on each acre for which they have paid the United States government \$2.50.

We, your memorialists, would therefore respectfully ask your honorable body to pass a law providing for an immediate return of \$1.25 per acre to each pre-emptor who has paid \$2.50 per acre within the limits of the aforesaid restored portion of the Northern Pacific land grant.

On motion of Mr. Jennings, the joint memorial was referred to the committee on public lands.

INTRODUCTION OF PETITIONS.

A large number of petitions from different portions of the state were introduced by members praying for a change in the law which would insure the assessment and taxation of church property.

The several petitions on this subject were, on motion, referred to the committee on assessment and taxation.

Mr. Merritt introduced a petition from citizens of Jackson county praying for the publication of school books by the state.

Referred to the committee on education.

Mr. Snider introduced a petition from citizens of Klamath and Lake counties praying for an increase of the salary of county judges in said counties.

Referred to the delegation representing said counties.

Mr. McCall introduced a petition from citizens of Jackson county praying for aid in the repairing of the Rogue river valley road.

Referred to special committee on wagon road appropriations.

Mr. Stephenson submitted a petition from citizens of Crook county asking for the establishment of irrigating districts.

Referred to committee on internal improvements.

Mr. Stephenson submitted a petition from citizens of Wasco and Crook counties asking an appropriation of \$5000 to aid in building a wagon road.

Referred to special committee on wagon road appropriations.

Mr. Richey submitted a petition praying for the adoption of the Australian ballot system.

Referred to committee on elections.

Mr. Reed, a like petition as last.

Referred to committee on elections.

Mr. Blundell submitted a petition asking that the state publish school books.

Referred to committee on education.

Mr. Richey submitted a petition asking for the incorporation of the city of Milton.

Referred to committee on corporations.

Mr. Tracy presented a petition asking for the repeal of the exemption laws in assessment.

Referred to committee on assessment and taxation.

Mr. Johnston presented a petition from residents of Falls precinct, Wasco county, asking that said precinct be cut off from Wasco county, and annexed to Multnomah county.

Referred to committee on counties.

Mr. Wright presented a petition from citizens of Union and Baker counties relating to irrigation.

Referred to committee on internal improvements.

Mr. Wright presented a petition from Union county asking for \$5,000 for the improvement of the Pine creek road.

Referred to special committee on wagon road appropriations.

Mr. Minto introduced the following joint memorial and moved its adoption.

HOUSE JOINT MEMORIAL NO. 5.

To the Honorable, the Senate and House of Representatives of the United States:

Your memorialists, the legislative assembly of the state of Oregon, respectfully represent that by an act of the thirty-fourth congress the secretary of war was directed to examine into the amount of the expenses necessarily incurred in the suppression of Indian hostilities in the (then) late Indian wars in Oregon and Washington territories for the maintenance of the volunteer forces engaged in the Indian war of 1855 and 1856, including pay of volunteers, and that

he may, if in his judgment it appears necessary, direct a commission of three to proceed to ascertain and report to him all expenses incurred for the purposes above specified.

That said secretary of war did, in compliance with the eleventh section of said act, appoint A. J. Smith, captain of the United States army, Rufus Ingalls, of the United States army, and L. F. Grover, of Oregon, said commissioners to examine into the amount of expenses necessarily incurred in the suppression of the Indian hostilities in the Indian wars in Oregon and Washington territories in 1855 and 1856 by the territorial governments for the maintenance of the volunteer forces engaged in said war.

That the said commissioners awarded as the necessary expenses incurred in the suppression of the Indian hostilities in the said war of 1855 and 1856, in Oregon, \$4,449,949.33, and that said commissioners awarded as the necessary expenses incurred in the suppression of the Indian hostilities in 1855 and 1856 in the said territory of Washington, \$1,481,475.45.

That by an act of the thirty-sixth congress, chapter 70, in relation to the payment of the expenses of said war, it is provided that said claims be examined and audited by the third auditor of the treasury, who shall allow to said volunteers the same pay and allowance as were paid to officers and soldiers engaged in the same grade at that period in the United States service.

That the report of the third auditor of the treasury, in pursuance of a resolution of the house of representatives, passed February 8, 1858, in relation to said claims, and preliminary to the final settlement and adjustment of the claims of the citizens of the territories of Oregon and Washington, for the expenses incurred in the years 1855 and 1856 in suppressing Indian hostilities, it was made by said resolution the duty of the third auditor of the treasury to examine the vouchers and papers on file in his office and make a report to the house of representatives by the first Monday in November, 1859, of the amount respectively due each company, soldiers, individuals.

That the third auditor, in compliance with resolution of 8th of February, 1859, made his report on the 7th of February, 1860, in which he stated he had examined the papers and vouchers on file in his office connected with the claims growing out of the Indian hostilities in Oregon and Washington territories in the years 1855 and 1856. The amount found due by the auditor for military services at any rates on the rolls of both territories, as reported by the commissioners, was \$521,375.73; amount of said claims for supplies, property, etc., at said rates allowed and reported by the third auditor was \$2,193,428.82; total, \$2,714,808.55. The amount due for pay of volunteers, as represented by the rolls and reported by the commissioners, after deducting stoppages, clothing and other articles fur-

nished, is as follows: Oregon volunteer troop service, exclusive of field and staff, \$1,409,604.53; Washington volunteer troop service, exclusive of field and staff, \$479,951; staff departments and field and staff employees enrolled, \$42,641.18; total, \$1,929,197.59. The aggregate amount of the supplies, transportation, property furnished employees of various descriptions, and other liabilities incurred in the maintenance of said volunteers, as reported by the commissioners, and exclusive of the amounts enrolled for pay proper of volunteers, and for use and risk of their horses, was as follows: Oregon, \$3,040,344.80; Washington, \$961,882.39; total, \$4,002,227.19. To which add excess of account of Quartermaster-general Drew, not embraced in their first report, but set down at \$333,600 as an appropriate estimate afterward reported at \$413,632.58; excess, \$80,032.58; total, \$4,082,259.77. The aggregate amount reported by the commissioners for expenses incurred in both territories was \$6,011,459.36. The amount reported as above by the third auditor, \$3,296,648.81.

Your memorialist would further report that the said commissioners were much better prepared to judge of the value of the services of the volunteers and of the property furnished, they being on the ground at the time when such services were rendered and property furnished, than the third auditor, who was three thousand miles away at Washington City. The commissioners had no interest to do otherwise than report the true values of all services rendered and property furnished. They were men of honor and ability, and well qualified to perform the duties assigned them, one of whom, to wit, L. F. Grover, was subsequently elected governor of the state of Oregon, and also to a seat in the United States senate.

Therefore your memorialists request your honorable bodies to appropriate to pay off the said balance of \$3,296,648.81, so awarded by the commissioners.

Wherefore your memorialists would most respectfully pray your honorable bodies, in the interest of justice to the pioneers and volunteers who settled and saved this Oregon and Washington territories to our general government, at the expense of many hard-fought battles by the volunteer forces of Oregon and Washington territories in the Indian war of 1855 and 1856, and that said claims be paid as allowed by the able commission aforesaid.

Your memorialists would further represent that the Cayuse war of 1847, and the subsequent Indian wars in said Oregon and Washington territories until 1857, in which honorable services were rendered by the Oregon and Washington volunteers, that many of said volunteers are now old and unable to earn a living by manual labor, and having used up a great portion of their property in living, are now almost in destitute circumstances; and we would

therefore most earnestly pray that said volunteer soldiers be placed on the pension roll in the same manner that the soldiers of the Mexican war have been; or, if this cannot be done, then we most respectfully ask your honorable bodies to so amend the Mexican soldier pension law as to allow all Indian war veterans of the north Pacific coast to become pensioners.

On motion of Mr. Armstrong, the memorial was referred to the committee on federal relations.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 22, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has adopted house joint memorial No. 3.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 22, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has adopted house joint resolution No. 3.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

The committee on corporations, to whom was referred house bill No. 181, submitted the follow report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 22, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred house bill No. 181, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate

with the recommendation that it do pass, with subdivision 4, article 38, amended to read as follows:

Section 38. To license, tax and regulate, and restrain bar rooms, drinking shops, theatrical and other exhibitions, shows, public amusements, hotel runners, billiard and pigeon-hole tables and bowling alleys, and to prohibit and suppress bawdy houses, gaming and gambling houses; *provided*, that no law, or part thereof, authorizing any tribunal or officer of Polk county to grant tavern or grocery licenses shall apply to persons vending liquors with the city of Dallas; *provided further*, that no license shall be granted for the sale of spirituous liquors for a less sum than authorized by the law of the state at the time of its issuance.

S. A. DURHAM,
E. W. BARNES,
Committee.

On motion of Mr. Butler, the report with amendments was adopted and the bill ordered engrossed.

On motion of Mr. Garfield, the house adjourned to 2 o'clock P. M.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 22, 1891. }

The house was called to order with Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Butler, Gambee, McCracken, Minto, Morey, Stephenson and Story.

The speaker, under house concurrent resolution No. 13, appointed as committee on the part of the house to investigate the state normal school at Monmouth and report thereon, Messrs. Armstrong, Henry and Snider.

Mr. Holmes introduced the following joint memorial:

HOUSE JOINT MEMORIAL NO. 2.

The Oregon legislature respectfully calls attention to the fact that the Willamette river is obstructed from navigation for boats above Oregon City, during the low stage of water, by only six bars or shoals, between said last mentioned point and the Calipooia mountains, a distance of about one hundred and fifty miles; that said obstructions can be removed by a comparatively small outlay of

money, and said river, which is the natural highway for transportation of the produce of the great Willamette valley, made navigable for river boats at all seasons of the year.

Your honorable body is therefore earnestly requested to make the necessary appropriation for and direct the removal of said obstructions.

And our senators and representative are requested to see that this memorial is properly presented.

On motion of Mr. Holmes, it was referred to the committee on federal relations.

Mr. Thomas introduced the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO. 14.

Resolved by the House, the Senate concurring:

That a committee of five, consisting of three from the house and two from the senate, be appointed for the purpose of drawing and presenting the house and senate a bill making an apportionment of the state of Oregon, allotting to each county in the state its proper quota of senators and representatives; and that this committee be and is hereby directed to also draw and present to the house and senate a bill dividing the state of Oregon into two congressional districts.

Resolution adopted.

Mr. Gambee introduced the following joint memorial and moved its adoption:

HOUSE JOINT MEMORIAL NO. 6.

Resolved by the House, the Senate concurring:

That whereas a memorial of the legislative assembly has been adopted asking congress to pass a measure for the construction of a boat railway from The Dalles to Celilo, on the Columbia river; and

Whereas the house committee in congress having charge and consideration of this matter has recommended the construction of a portage railroad and the appropriation of \$431,000 therefor, and have instructed Mr. Hermann, our representative in congress, to prepare a bill for that purpose; and

Whereas it is probable that the Cascade locks may soon be completed, and these locks and a portage railroad at the dalles would afford speedy and great relief to all of Eastern Oregon; and

Whereas the construction of a boat railway is experimental and might take years to perfect and complete.

Therefore, we, the legislative assembly of the state of Oregon,

desiring the earliest and speediest possible opening of the Columbia river to navigation, hereby ask and urge our senators and representative in congress to use all possible and honorable means to first secure the passage of the bill for the immediate construction of said portage railway and appropriating said sum therefor, that said road may be used and serve the great and growing interests and commerce of Oregon while said boat railway project is under construction.

Resolved further, That the secretary of state be instructed to forward at once a copy of this memorial to each of the senators and the representative in congress from Oregon.

On motion of Mr. Montgomery, the memorial was referred to the committee on federal relations, with instructions to communicate with the representatives of Oregon in congress and the United States senate in relation to the same.

Hons. M. A. Moody, mayor of The Dalles, and S. A. Dawson, ex-senator from Linn county, were invited inside the bar of the house.

The following messages from the senate were read :

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 22, 1891. }

Mr. Speaker :

I am directed by the president to inform you that he has appointed as a committee on the part of the senate to visit the school for the deaf mutes, under house concurrent resolution No. 12, Messrs. Willis and Cross.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 22, 1891. }

Mr. Speaker :

I am directed by the president to inform you that he has appointed as a committee on the part of the senate, under senate concurrent resolution No. 10, to examine into and investigate the affairs of the

military board of Oregon national guards, Messrs. Norval and Tullerton.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 22, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 13, for a joint committee to visit and investigate the state normal school at Monmouth, and has appointed as such a committee on the part of the senate, Messrs. Moore and Myers.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

Mr. Speaker appointed under house concurrent resolution No. 12, Messrs. Blundell, Stillwell and Furry, as committee on the part of the House to visit and investigate the school for the deaf mutes.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Manning introduced house bill No. 194:

"A bill for an act to amend sections 2, 4, 5, 31, 41 and 96 of an act entitled an act to incorporate the city of McMinnville, Yamhill county, state of Oregon."

Mr. Manning moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Merritt, Meussdorffer, Miller, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Hartman, Johnston, McCoy, McCracken, Minto, Morey and Story—7.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. Manning moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Merritt, Meussdorffer, Miller, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—Mr. Jennings—1.

Absent—Messrs. McCoy, McCracken, Minto, Morey and Story—5.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Manning, the bill was referred to the committee on corporations.

Mr. Manning introduced house bill No. 195:

“A bill for an act relating to assessment and taxation.”

The bill was read the first time and passed to its second reading without question.

Mr. Stewart introduced house bill No. 196:

“A bill for an act to amend section 37 of an act entitled an act to incorporate the city of Portland, approved October 24, 1882, as amended by an act entitled an act to amend sections 1, 37, 95 and 159 of an act entitled an act to incorporate the city of Portland, approved October 24, 1882; and to repeal section 155 of said act, and all acts and parts of acts in conflict therewith, approved February 25, 1885, as amended by an act entitled an act to amend sections 13, 36, 37, 53, 56, 57, 69, 82, 83, 85, 86, 95, 102, 112, 113, 122, 123, 129, 149, 152 and 156 of an act entitled an act to incorporate the city of Portland, approved October 24, 1882, as amended by an act entitled an act to amend sections 1, 37, 95 and 159 of an act entitled an act to incorporate the city of Portland, approved October 24, 1882; and to repeal section 155 of said act, and all acts and parts of acts in conflict therewith, approved February 25, 1885; and to amend section 73 of an act to incorporate the city of Portland, as amended by an act entitled an act to amend an act entitled an act to incorporate the city of Portland, approved October 24, 1882; and to amend section 1 of an act entitled an act to amend sections 1, 37, 95 and 159 of an act entitled an act to incorporate the city of Port-

land, approved October 24, 1882; and to repeal section 155 of said act, and all acts and parts of acts in conflict therewith, approved February 25, 1885, approved November 25, 1885; and to amend section 72 of an act to incorporate the city of Portland, as amended by an act entitled an act to amend an act entitled an act to incorporate the city of Portland, approved October 24, 1882, approved November 21, 1885; and section 11 of an act entitled an act to establish a paid fire department for the city of Portland, approved October 9, 1882, filed in the office of the secretary of state February 25, 1889."

Mr. Stewart moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Merritt, Meussdorffer, Miller, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Johnston, McCoy, McCracken, Minto, Morey and Story—6.

So the rules were suspended, the bill read the first time by title and passed to its second reading without further question.

Mr. Fox introduced house bill No. 197:

"A bill for an act to incorporate the city of Astoria in Clatsop county, state of Oregon, and to repeal an act entitled an act to incorporate the city of Astoria, in Clatsop county, Oregon, approved October 20, 1876."

Mr. Fox moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Merritt, Meussdorffer, Miller, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Johnston, McCoy, McCracken, Minto, Morey and Story—6.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

Mr. Starr introduced house bill No. 198:

“A bill for an act to amend section 2788, chapter 17, title 5, of the general laws of Oregon, as compiled and annotated by W. Lair Hill, relating to tax roll.”

The bill was read the first time and passed to a second reading without question.

The speaker called Mr. Moor of Benton to the chair.

Mr. Thomas introduced house bill No. 199:

“A bill for an act to amend sections 1614, 1615 and 1617 of chapter XXXVII of the code of criminal procedure of Oregon, as compiled and annotated by W. Lair Hill, relating to the giving of security for appearance of material witnesses in criminal actions.”

The bill was read the first time and passed to a second reading without a question.

Mr. Garfield introduced house bill No. 200:

“A bill for an act to incorporate the town of Bandon in Coos county, Oregon.”

Mr. Garfield moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Merritt, Meussdorffer, Miller, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright—53.

Nays—None.

Absent—Messrs. Johnston, McCoy, McCracken, Minto, Morey, Story, and Mr. Speaker—7.

So the rules were suspended, the bill read the first time by title, and passed to its second reading without further question.

Mr. Welch introduced house bill No. 201:

“A bill for an act to amend sections 1, 2 and 7 of an act entitled an act for the extirpation of the Canada thistle.”

The bill was read the first time and passed to its second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 22, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 18, a bill for an act regulating the fees and compensation of the clerks and sheriffs of the counties of Crook, Klamath and Lake.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 22, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate concurrent resolution No. 11, for senate and house committee appointed to investigate the books of the insane asylum to act as a joint committee.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Coleman, the house concurred in the resolution.

Mr. Speaker resumed the chair.

Mr. Hall introduced house bill No. 202:

"A bill for an act to amend section 892 of the general laws of Oregon, as compiled and annotated by W. Lair Hill."

The bill was read the first time and passed to a second reading without question.

Mr. Miller introduced house bill No. 203:

"A bill for an act entitled an act to prevent and punish malicious obstructions and tampering with railroad and street-car tracks in the state of Oregon."

The bill was read the first time and passed to a second reading without question.

Mr. Jennings introduced house bill No. 204:

"A bill for an act to provide for interchange of traffic and for division of freight and passenger traffic between connecting railroad

companies transporting freight and passengers from interior points in this state to the seaports or cities on navigable rivers."

The bill was read the first time and passed to a second reading without question.

Mr. Myer introduced house bill No. 205:

"A bill for an act to establish county uniformity in the adoption of text-books for use in the public schools in this state."

The bill was read the first time and passed to a second reading without question.

Mr. Tracy introduced house bill No. 206:

"A bill for an act to amend section 4064 of title 1, chapter 76, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill."

The bill was read the first time and passed to a second reading without question.

Mr. Mulkey introduced house bill No. 207:

"A bill for an act to incorporate the town of Condon, in Gilliam county, Oregon."

Mr. Mulkey moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Johnston, McCoy, McCracken, Morey and Story—5.

So the rules were suspended, the bill read the first time by title and passed to second reading without further question.

Mr. Armstrong, by request, introduced house bill No. 208:

"A bill for an act to incorporate the city of Silverton, Marion county, state of Oregon, and to repeal an act entitled an act to incorporate the city of Silverton in Marion county, Oregon, and approved February 16, 1885, and an act entitled an act to amend the act to incorporate the city of Silverton, approved February 15, 1887."

Mr. Armstrong moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Johnston, McCoy, McCracken, Morey and Story—5.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

Mr. Holmes moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Merritt, Meussdorffer, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—50.

Nays—Messrs. Dustin, Jennings, Miller and Wilkins—4.

Absent—Messrs. Johnston, McCoy, McCracken, Morey and Story—5.

Not voting—Mr. Minto—1.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Holmes, the bill was referred to the committee on corporations.

Mr. Holmes introduced house bill No. 209:

“A bill for an act to incorporate the town of Stayton, in Marion county, Oregon.”

Mr. Holmes moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Merritt, Meussdorffer, Miller, Montgomery, Moor of Benton, Moore

of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. McCoy, McCracken, Morey and Story—4.

Not voting—Mr. Minto—1.

So the rules were suspended, the bill read the first time by title and passed to its second reading without further question.

Mr. Mulkey introduced house bill No. 210:

“A bill for an act to secure uniformity of text-books in public schools.”

The bill was read the first time and passed to its second reading without question.

Mr. Paquet introduced house bill No. 211:

“A bill for an act to amend an act entitled an act to prevent nuisances, approved February 25, 1889.”

The bill was read the first time and passed to its second reading without question.

MESSAGE FROM THE HOUSE.

SENATE CHAMBER,
SALEM, Oregon,
January 22, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 14.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

The speaker announced the order of business to be the

SECOND READING OF HOUSE BILLS.

House bill No. 52 coming on for a second reading, was read a second time.

On motion of Mr. Weed, the bill was referred to the committee on commerce.

House bill No. 53 coming on for a second reading, was read a second time.

On motion of Mr. Miller, the bill was referred to the committee on judiciary.

House bill No. 54 coming on for a second reading, was read a second time.

On motion of Mr. Hall, the bill was referred to the committee on fishing.

House bill No. 55 coming on for second reading, the bill was read a second time.

On motion of Mr. Stewart, the bill was referred to the committee on commerce.

House bill No. 60 coming on for a second reading, was read a second time.

On motion, the bill was referred to the special committee on road appropriations.

House bill No. 62 coming on for second reading, was read a second time.

On motion of Mr. McCall, the bill was referred to the special committee on road appropriations.

House bill No. 63 coming on for second reading, was read a second time.

On motion of Mr. Durham, the clerk was instructed to insert in the second line \$45,000 instead of \$40,000.

On motion of Mr. Durham, the bill was considered engrossed and passed to third reading to-morrow.

House bill No. 66 coming on for second reading, was read a second time.

On motion of Mr. Welch, the bill was referred to the committee on judiciary.

House bill No. 122 coming on for the second reading, Mr. Hall moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. McCoy, McCracken, Morey and Story—4.

Not voting—Mr. Barnes—1.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Hall, the bill was considered engrossed and passed to third reading.

On motion of Mr. Jennings, the house adjourned until to-morrow at 10 o'clock A. M.

R. R. HAYS,
Chief clerk.

FRIDAY, JANUARY 23, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 23, 1891. }

The house was called to order at 10 A. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Mr. McCracken.

Prayer was offered by Rev. C. E. Cline of the M. E. church, Salem.

On motion, the reading of the journal of yesterday was dispensed with.

Senate bill No. 5 being special order for this morning, was taken up.

Senate bill No. 5 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Hartman and McCracken—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate joint resolution No. 1, which was made special order for this morning, was taken up.

On motion of Mr. Moor of Benton, the same was referred to the committee on federal relations.

Mr. Montgomery moved that house bill No. 114 be recalled from the committee on assessment and taxation and referred to the committee on ways and means.

Motion carried.

On motion of Mr. Mulkey, the state printer was instructed to print all bills relating to general laws in the order in which they are sent to him.

On motion of Mr. Hall, house bill No. 122 was sent to the committee on engrossed bills for engrossment.

On motion of Mr. Miller, the vote was reconsidered whereby house concurrent resolution No. 14 was adopted.

On motion of Mr. Miller, the committee provided for in said house concurrent resolution No. 14 was increased to eight members, five from the house and three from the senate.

The resolution, as so amended, was then adopted.

Mr. Speaker announced the order of business to be the

SECOND READING OF HOUSE BILLS.

House bill No. 61 coming on for a second reading, was read a second time.

On motion of Mr. Stillwell, the bill was referred to the special committee on wagon road appropriations.

House bill No. 67 coming on for a second reading, Mr. Welch moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Fox, Hartman, McCracken and Montgomery—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Welch, the bill was referred to a committee consisting of the Clatsop county delegation.

House bill No. 68 coming on for second reading, was read the second time.

On motion, the bill was referred to the special committee on wagon road appropriations.

House bill No. 69 coming on for second reading, was read the second time.

On motion of Mr. Snider, the bill was referred to a committee consisting of the delegation from the first judicial district.

House bill No. 70 coming on for second reading, was read the second time.

On motion of Mr. Stephenson, amended by Mr. Thomas, the bill was referred to the committee on roads and highways.

House bill No. 72 coming on for second reading, was read the second time.

On motion of Mr. Botkin, the bill was referred to the committee on counties.

House bill No. 73 coming on for second reading, was read the second time.

On motion of Mr. Merritt, the bill was referred to the committee on judiciary.

House bill No. 74 coming on for second reading, was read the second time.

On motion of Mr. Garfield, the bill was referred to the committee on judiciary.

House bill No. 75 coming on for a second reading, was read a second time.

Mr. Crook moved to amend by striking out the words "three hundred" and inserting "two hundred," in relation to Curry county.

On motion of Mr. Myer, the bill was referred to the committee on agriculture.

House bill No. 76 coming on for a second reading, was read a second time.

On motion of Mr. Richey, the bill was referred to the special committee on wagon road appropriations.

House bill No. 77 coming on for a second reading, was read a second time.

On motion of Mr. Jennings, the bill was referred to the committee on judiciary.

House bill No. 78 coming on for a second reading, was read a second time.

On motion of Mr. Jennings, the bill was referred to the committee on roads and highways.

House bill No. 79 coming on for a second reading, was read a second time.

On motion of Mr. Jennings, the bill was referred to the committee on judiciary.

House bill No. 81 coming on for a second reading, was read the second time.

On motion of Mr. Thomas, the bill was referred to the committee on judiciary.

House bill No. 82 coming on for second reading, was read the second time.

On motion of Mr. Thomas, the bill was referred to the committee on road and highways.

House bill No. 83 coming on for second reading, was read the second time.

On motion of Mr. Thomas, the bill was referred to the committee on road and highways.

House bill No. 84 coming on for second reading, was read the second time.

On motion of Mr. Butler, the bill was referred to the committee on judiciary.

House bill No. 85 coming on for a second reading, was read the second time.

On motion of Mr. Butler, the bill was referred to the committee on judiciary.

House bill No. 86 coming on for a second reading, Mr. Durham moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was: (

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meusdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—Mr. Holmes—1.

Absent—Messrs. Coleman, Hartman and McCracken—3.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. McAlister, the bill was referred to the committee on agriculture.

House bill No. 87 coming on for a second reading, was read a second time.

On motion of Mr. McAlister, the bill was referred to the committee on elections.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 23, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has concurred in the house amendments to house concurrent resolution No. 14.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 23, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bill No. 187, the same being a bill for an act to change the name of the town of Ellensburg.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

House bill No. 117 coming on for a second reading, was read a second time.

On motion of Mr. Crook, the bill was referred to the special committee on wagon road appropriations.

The following report was received from the committee on elections:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 23, 1891. }

Mr. Speaker :

Your committee on elections, to whom was referred house bill No. 49, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

By striking out the name of B. P. Cardwell, and substituting the name of Joseph Simon, wherever B. P. Cardwell's name appears in said bill.

W. N. BARRETT,
Chairman.

On motion of Mr. Barrett, the report and amendments were adopted.

On motion of Mr. Story, house bill No. 49 was made special order for Monday, January 26, 1891, at 2 o'clock P. M.

Mr. Paquet, by unanimous request, presented a petition of Peter G. Stewart, supported by other petitioners, in relation to his claim to the townsite of Pacific City, now in the state of Washington, but originally in the territory of Oregon.

Mr. Paquet moved that a special committee of three be appointed by the speaker to draft a memorial in accordance with the petition.

Motion carried.

Mr. Minto, by unanimous consent, introduced proposition No. 1, looking to the easy navigation of the upper Columbia river, as follows:

HOUSE CONCURRENT PROPOSITION NO. 1.

Concurred propositions and motion from the legislative assembly of the state of Oregon to the legislative assembly of the state of Washington—greeting:

Fellow Citizens: As representatives of large industrial communities, having a common origin and public interests in common, we respectfully ask your co-operation in the procurement of free competitive navigation of the Columbia river as far inland as a reasonable outlay of public money will permit, and to that end we submit to your consideration the following proposition:

First—To memorialize congress, through your representatives in that body, in favor of sufficient appropriations to finish the canal and locks at the cascades and a portage railroad, as preliminary to a boat railway at the dalles of the Columbia, so as to permit traffic by boats to ascend as high as Wallula at as early a date as possible.

Second—To at once put to use, under the management of your state, the portage railroad at the cascades of the Columbia, either by agreement with the owner of said portage road, or by the exercise of the rights of eminent domain.

Third—To take into consideration the advisability of a co-operative effort to construct a tramway or railroad past the dalles in order to give needed relief until the contemplated boat railway by the United States government can be used.

Fourth—In view of the fact that the canal and locks at the cascades have been under process of construction twelve years, the frequent delays for lack of funds to continue the work has been a cause of great waste of public money, as well as prolonging for many years excessive charges against the productive industries of the upper Columbia valley, we ask your co-operation to procure the

further prosecution of these important public works under a contract system, supervised by the United States, binding the contractors to time, as well as quality of work, in order to secure as much expedition as is consistent with good work. It is moved, in view of the pressing importance of this subject, a joint committee, consisting of one member from the senate and one from the house of this body, be appointed to in person present these propositions to the attention of the legislative assembly of Washington, now in session at Olympia, state of Washington.

On motion of Mr. Minto, the proposition was referred to the committee on federal relations.

Mr. Miller moved that the rules be suspended and the house return to the order of business for introduction and first reading of bills.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Mauning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Mr. McCracken—1.

Not voting—Mr. Hartman—1.

So the rules were suspended and the house returned to the introduction and first reading of bills.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Story introduced house bill No. 212:

“A bill for an act to fix the salary of the assessor of Multnomah county, Oregon.”

The bill was read the first time and passed to second reading without a question.

Mr. Story moved that the rules be suspended and the bill be read second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee,

Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Hartman, Lamson, and McCracken—3.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Story, the bill was referred to a committee consisting of the Multnomah county delegation.

Mr. Armstrong, by request, introduced house bill No. 213:

“A bill for an act to license auctioneers.”

The bill was read the first time and passed to second reading without a question.

Mr. Garfield introduced house bill No. 214:

- “A bill for an act to re-locate the county seat of Coos county, Oregon; to provide for the submission of said re-location to the voters of said county; to regulate the manner and fix the time of said submission, and of the removal of the records and business of said county of Coos.”

Mr. Garfield moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Hall and McCracken—2.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. Dustin introduced house bill No. 215:

“A bill for an act to amend an act entitled an act entitled an act to amend sections 1932 and 1940 of the codes and general laws of Oregon, compiled and annotated by William Lair Hall, approved February 25, 1889.”

The bill was read the first time and passed to its second reading without question.

Mr. Reed, by request, introduced house bill No. 216:

"A bill for an act to amend section 2364 of second volume of Hill's annotated laws of Oregon, relating to fees of county commissioners."

The bill was read the first time and passed to its second reading without question.

Mr. Reed, by request, introduced house bill No. 217:

"A bill for an act entitled an act to appropriate money to aid the county court of Douglas county to repair the wagon road from Drain to Scotsburg, in said Douglas county."

The bill was read the first time and passed to its second reading without a question.

Mr. Miller introduced house bill No. 218:

"A bill for an act declaring that the state of Oregon proposes to exercise its option and the right and privilege reserved to it, by taking and appropriating the canal and locks at and on the west side of the Willamette falls, and providing for ascertaining the value thereof, and the amount to be paid therefor."

The bill was read the first time and passed to its second reading without a question.

Mr. Miller introduced house bill No. 219:

"A bill for an act to incorporate the city of Grant's Pass, in Josephine county, Oregon, and to define the powers thereof."

Mr. Miller moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meusdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Armstrong, Hall and McCracken—3.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. McCall introduced house bill No. 220:

"A bill for an act entitled an act to establish normal schools in the state of Oregon, and to appropriate money in aid of the establishment of the same."

The bill was read the first time and passed to a second reading without question.

Mr. McCoy introduced house bill No. 221 :

"A bill for an act to create and aid Eastern, Western and Southern Oregon district agricultural societies, and to define their duties, and to appropriate money therefor; and to repeal an act entitled an act to create and aid Eastern Oregon district agricultural societies, and to define their duties, and appropriate money therefor, approved February 20, 1889; and to repeal an act entitled an act to create a Southern Oregon state board of agriculture, and to define their duties, and to appropriate money therefor, approved February 25, 1889."

Mr. McCoy moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—59.

Nays—None.

Absent—Mr. McCracken—1.

So the rules were suspended, the bill read the first time by title and passed to second reading without further question.

Mr. McCall moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—59.

Nays—None.

Absent—Mr. McCracken—1.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. McCoy, the bill was referred to a special committee appointed by the chair, consisting of five members, one from each agricultural district created by the bill, with leave to report at any time.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 23, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate joint memorial No. 2 is reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

On motion of Mr. Morey, it was ordered that when the house adjourn, it be until Monday at 2 o'clock P. M.

Mr. Minto introduced house bill No. 222:

"A bill for an act entitled an act to provide for the registration by the secretary of state, in a record to be kept by him in his office, of all the names of the Indian war veterans of the North Pacific coast and attaches thereof."

The bill was read the first time and passed to its second reading without question.

On motion of Mr. Montgomery, the house adjourned until 2 o'clock P. M., Monday, January 26.

R. R. HAYS,
Chief clerk.

MONDAY, JANUARY 26, 1891.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon,
January 26, 1891. }

The house was called to order at 2 o'clock P. M., pursuant to adjournment, Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Hartman, Manning, Montgomery and Tracy.

Prayer was offered by Rev. Brown, of Salem.

The journal of Friday was read and duly approved.

The speaker added Mr. Moor of Benton to the committee on investigation and report of the school for the blind.

House bill No. 49 coming up under special order, on motion of Mr. Hall, it was referred to the committee on elections for amendment.

The speaker, under senate concurrent resolution No. 10, appointed Messrs. Durham, Shedd and Tracy.

Under house bill No. 221, the commissioners named are, Messrs. McCoy, Lamson, McCall, Myer and McAlister.

The speaker announced as committee, on the part of the house, on apportioning representative, senatorial and congressional districts, Messrs. Thomas, Miller, McCoy, Barnes and Henry.

The following message was received from the governor:

MESSAGE FROM THE GOVERNOR.

To the Honorable, the Senate and House of Representatives of the State of Oregon:

The river and harbor committee of the house of representatives at Washington, on the 14th of the present month, rejected the proposition to make recommendation for a boat railway at the dalles of the Columbia river, and unanimously recommended that congress should make an appropriation of \$431,500 for a portage railroad along those obstructions.

The Oregon legislative assembly has passed a joint resolution favoring an appropriation for a boat railway. The antagonism between the joint resolution of the Oregon legislature and the recommendations of the congressional committee having the matter in charge, which is presumed was inadvertent and unintentional, should at once be obviated by the immediate passage of a joint resolution by the legislative assembly, unanimous in both houses, urging upon congress the great necessity of making the appropriation recommended by the committee. This action of such committee is the undoubted result of its consultation with the United States engineer department, and it is to be sincerely regretted that our senatorial delegation has seen fit to interpose its inexperienced judgment rather than follow the suggestions and recommendations of experienced engineers.

If the report of the board of engineers, made two years ago, had been acquiesced in, rather than antagonized by our senators, the

appropriation for the portage railway could have easily been made in the last river and harbor bill, and such road could have now been completed. This legislature has therefore a most imperative duty to perform.

It should instruct our senators to co-operate with our representative in congress with the department of engineers, with the river and harbor committee of the house, and with the demand of the whole people of Oregon, in securing at this session an appropriation for the building of a portage railroad. The scheme of a boat railway, which practically is a scheme to delay the opening of the Columbia river for more than a third of a century, should be discarded for the practical scheme of a portage road which will afford speedy and enduring relief. The legislature of Oregon should hold up the hands of the river and harbor committee bearing the proffer of aid instead of striking them down. Let this appropriation be made, and as reported by the U. S. engineers, the road could be built in one year, and thus, so far as the obstructions at the dalles of the Columbia are concerned, the river can be opened to navigation.

This is a measure of the utmost importance to Oregon, and in its support all desire of personal advantage or hope of party gain should be thrust aside by the great motive prompting all to use every endeavor to persuade congress to do its plain duty to the people of Oregon and Washington by speedily opening the Columbia river to free commerce.

It is the duty of the federal government, and not of the state, to open that great thoroughfare of interstate commerce, and the legislatures of Oregon, Washington and Idaho should imperatively demand of it, in behalf of our growing necessities, that such duty should be promptly performed.

SYLVESTER PENNOYER,
Governor.

On motion of Mr. Moor of Benton, the message was referred to the committee on federal relations.

Mr. Armstrong introduced the following joint memorial and moved its adoption:

HOUSE JOINT MEMORIAL NO. 7.

To the Senate and House of Representatives of the United States:

Your memorialists, the legislative assembly of the state of Oregon, would respectfully represent—

That the naturalization laws of the United States, having been framed for the purpose of encouraging immigration, superinduced by the assistance rendered by the different nationalities during the

war for the independence of the United States, and the liberal spirit of said laws has been subverted by the introduction of a class of people prejudicial to the best interests of the nation, both in a social and moral point of view, the effect of which has become apparent by the large increase of a people ignorant of our language, our laws and our republican constitution; labor is degraded, the standard of morals sadly impaired.

Therefore, we, your memorialists, do hereby most earnestly and respectfully urge upon our representatives in congress the imperative necessity of the enactment of such laws by our national legislature as will insure to our country and people future protection against the growing evil whose blighting influence is being felt all over these United States.

We believe that a law requiring some test as to the moral status of those seeking admission to our shores, both in a literary and social relation, should be had, and which information we are of the opinion can be obtained by our consuls at the points of embarkation. Such a regulation as here suggested will conserve the public good and greatly retard the influx of what is fast becoming a dangerous element in our large cities, and must eventually reach the homes of our people.

We therefore ask your honorable bodies to so amend our naturalization and immigration laws for the attainment of the object here sought for, the accomplishment of which we, your constituents, will ever pray.

The memorial was, on motion, adopted.

Mr. Moor of Benton introduced the following concurrent resolution and moved its adoption:

HOUSE. CONCURRENT RESOLUTION NO. 15.

Resolved by the House, the Senate concurring:

That the joint committee appointed by the senate and house to investigate the condition of the agricultural college, be authorized to employ an expert to examine the books and records of said college, and report upon the same; *provided*, the said joint committee in their judgment deem the same necessary.

Resolution adopted.

Mr. Botkin introduced the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO. 16.

Resolved by the House, the Senate concurring:

That in the event of the house of representatives in congress refusing to consider the pending boat railway appropriation bill for

the dalles, our delegation in congress be and is hereby instructed to secure, if possible, an emergency appropriation for a portage railway at the dalles, Celilo and the cascades; *provided*, that our delegation in congress will not feel instructed to at this or any other time from attempting to secure an appropriation for a boat railway, both by a separate bill and by an appropriation in the river and harbor.

Resolved, That the secretary of state be and is hereby instructed to send a copy of the above resolution to our delegation in congress.

The resolution was, on motion, referred to the committee on federal relations.

Mr. Dustin introduced the following joint memorial and moved its adoption:

HOUSE JOINT MEMORIAL NO. 8.

To the Honorable Senators and Representative of Oregon in the Congress of the United States:

Your memorialists, the legislative assembly of the state of Oregon, hereby respectfully represent that—

Whereas there has been great loss to the citizens of Oregon and other states and territories, dating back for a long series of years, by reason of the outbreak of various Indian tribes who were established on reservations, the burning of homes of settlers, and stealing of their stock and wanton destruction of their property in various ways; and

Whereas commissions have been appointed by the United States to investigate said losses, and said commissions have reported favorably and allowed said claims; and

Whereas said settlers, many of them, are in feeble health and destitute circumstances, and in some cases become county charges;

Therefore, we urgently request you, and each of you, to use your best endeavors to provide by law for the payment of said Indian war claims.

And for this purpose your memorialists will ever pray.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—Messrs. Armstrong, Baker and Paquet—3.

Absent—Messrs. Hartman, Montgomery and Stewart—3.

So the memorial was adopted.

On motion of Mr. Miller, the vote was reconsidered by which the memorial in relation to the Indian war veterans was adopted.

On motion of Mr. Jennings, said memorial was referred to the committee on federal relations.

The speaker announced the next order of business to be the

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Barnes introduced house bill No. 223:

“A bill for an act to protect fish in the lakes and rivers in the state of Oregon.”

Mr. Barnes moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Hartman and Montgomery—2.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. Barnes introduced house bill No. 224:

“A bill for an act to amend section 1949 of chapter 8, title 2, of miscellaneous laws of Oregon, as compiled by W. Lair Hill.”

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. Wright introduced house bill No. 225:

“A bill for an act entitled an act to incorporate the city of Union, and to repeal an act entitled an act to incorporate the city of Union, in Union county, Oregon, approved February 5, 1885.”

Mr. Wright moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee,

Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Hartman and Montgomery—2.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. McCracken, by request, introduced house bill No. 226:

“A bill for an act to amend section 2752 of Hill’s code, relating to the assessment of property and the exemption of indebtedness.”

The bill was read the first time and passed to a second reading without question.

Mr. McCracken introduced house bill No. 227:

“A bill for an act to establish and incorporate the port of Portland, and to provide for the improvement of the Willamette and Columbia rivers in said port, and between said port and the sea.”

Mr. Barrett moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Hartman and Montgomery—2.

So the rules were suspended, the bill was read the first time by title, and passed to second reading without further question.

Mr. McAlister introduced house bill No. 228:

“A bill for an act to amend section 3099 of title 2, chapter 23, of the laws of Oregon, compiled and annotated by W. Lair Hill, relating to the distribution of personal property.”

The bill was read the first time and passed to a second reading without question.

Mr. McAlister introduced house bill No. 229:

“A bill for an act to amend section 2983, chapter 19, title 2, of the

general laws of Oregon, as compiled and annotated by W. Lair Hill."

The bill was read the first time and passed to second reading without a question.

Mr. Morey introduced house bill No. 230:

"A bill for an act fixing the salary of county treasurer of Multnomah county at the sum of three thousand dollars a year."

The bill was read the first time and passed to second reading without question.

Mr. Coleman introduced house bill No. 231:

"A bill for an act for the relief of A. M. Osburn."

Whereas on the 24th day of May, 1872, the board of commissioners for the sale of school lands did sell and agree to convey unto A. M. Osburn, the following described lands in Lane county, in this state, to-wit: The northwest quarter of the southwest quarter of section 32 and the northeast quarter of the southeast quarter of section 31, in township 18 south, range 3 west, containing 80 acres; and did then and there issue and deliver to said A. M. Osburn a certificate of sale and bond for deed, and the said A. M. Osburn, on February 7, 1873, pay to the said board the sum of \$140 in full for said lands, the same being sold to him as university lands; and whereas said lands at the time of said sale, were lands belonging to the government of the United States, and said board had no power or authority to sell or convey the same, and that said A. M. Osburn has not received any title therefor, and has not at any time received any of said purchase money so paid; and whereas said purchase money with interest at 8 per cent. per annum now amounts to the full sum of \$341.60, [etc.]

The bill was read the first time and passed to second reading without question.

Mr. Wilkins introduced house bill No. 232:

"A bill for an act to amend section 3464, chapter 40, title 3, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, relating to partition fences."

The bill was read the first time and passed to its second reading without question.

Mr. Fox, by request, introduced house bill No. 233:

"A bill for an act entitled an act to appropriate money to aid the county court of Clatsop county to construct a wagon road from the north end of the Tillamook county road, on the north fork of the Nehalem river, to Seaside, in Clatsop county, Oregon."

The bill was read the first time and passed to its second reading without question.

Mr. Thomas, by request, introduced house bill No. 234:

"A bill for an act entitled an act to provide for trial by jury in suits to dissolve the marriage contract."

The bill was read the first time and passed to its second reading without question.

Mr. Barrett, by request, introduced house bill No. 235:

"A bill for an act to amend section 1893 of the laws of Oregon, compiled and annotated by W. Lair Hill, regulating the rights and duties of employers and employes, and to protect the business of employers and employes."

The bill was read the first time and passed to its second reading without question.

Mr. Snider introduced house bill No. 236:

"A bill for an act to compel electric-light companies, in cities of this state, to place their electric-light wires and cables under the surface of the streets, lanes and avenues therein."

The bill was read the first time and passed to its second reading without question.

Mr. Johnston, by request, introduced house bill No. 237:

"A bill for an act to amend the title and sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled an act to amend sections 1, 2, 4, 5, 6 and 8, and to repeal section 9 of an act entitled an act to authorize Dalles City to incur an indebtedness of \$50,000 for the purpose of providing the city with good and wholesome water, and for the erection and construction or purchase of such water works and reservoir, within or without the limits of the city, as may be necessary or convenient therefor, and to provide for the issuing of bonds and the payment of the principal and interest thereon, approved February 26, 1885, filed in the office of the secretary of state, February 19, 1889, and to amend sections 3 and 7 of an act entitled an act to authorize Dalles City to incur an indebtedness of \$50,000 for the purpose of providing the city with good and wholesome water, and for the erection and construction or purchase of such water works and reservoirs, within or without the limits of the city, as may be necessary or convenient therefor, and to provide for the issuing of bonds and the payment of the principal and interest thereon, approved February 26, 1885, and to authorize the board of water commissioners of Dalles City to receive and invest or loan moneys belonging to the water fund of Dalles City."

Mr. Johnston moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Han-

sard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Armstrong, Hartman, McCoy and Montgomery—4.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

Mr. Jennings introduced house bill No. 238:

“A bill for an act to authorize the Siuslaw River Lumber Company to construct, maintain and operate a boom on the Siuslaw river, in Lane county, state of Oregon.”

Mr. Jennings moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Armstrong, Hartman, McCoy, Montgomery and Snider—5.

So the rules were suspended, the bill read the first time by title and passed to second reading without further question.

Mr. Jennings, by request, introduced house bill No. 239:

“A bill for an act to establish a rogues’ gallery at the penitentiary of this state.”

The bill was read the first time and passed to its second reading without question.

Mr. Holmes introduced house bill No. 240:

“A bill for an act to amend section 1935, and to repeal sections 1941, 1942, 1943 and 1944 of chapter 7, title 2, of the criminal code of the state of Oregon, as compiled and annotated by W. Lair Hill.”

The bill was read the first time and passed to a second reading without question.

Mr. Holmes introduced house bill No. 241:

"A bill for an act to create the office of reporter of the supreme court, and define his duties and fix his compensation."

The bill was read the first time and passed to second reading without question.

Mr. Holmes, by request, introduced house bill No. 242:

"A bill for an act to provide for a miscellaneous record and giving the same in testimony."

The bill was read the first time and passed to a second reading without question.

Mr. Holmes introduced house bill No. 243:

"A bill for an act to change the name of the town of Ray, formerly Frankfort, in Marion county, Oregon."

The bill was read the first time and passed to a second reading without question.

Mr. Myer introduced house bill No. 244:

"A bill for an act entitled an act to create the state board of horticulture and appropriate money therefor, as found in the session laws of 1889, and approved February 25, 1889."

The bill was read the first time and passed to a second reading without question.

Mr. Paquet introduced house bill No. 245:

"A bill for an act entitled an act to amend section 2752 of title 3 of chapter 17 of the general laws of Oregon, relating to the assessment of property and the levy and collection of taxes."

The bill was read the first time and passed to a second reading without question.

Mr. Baker, by request, introduced house bill No. 246:

"A bill for an act for the relief of J. Stahley."

Mr. Baker moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Armstrong, Hartman, McCoy and Montgomery—4.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

The speaker announced the next order of business to be the

SECOND READING OF HOUSE BILLS.

House bill No. 103 coming on for second reading, was read a second time.

On motion of Mr. Coleman, the bill was referred to the committee on roads and highways.

House bill No. 104 coming on for second reading, was read a second time.

On motion of Mr. Paquet, the bill was referred to the committee on agriculture.

House bill No. 105 coming on for second reading, was read a second time.

On motion of Mr. Jennings, the bill was referred to the committee on assessment and taxation.

House bill No. 106 coming on for second reading, was read a second time.

On motion of Mr. Jennings, the bill was referred to the committee on assessment and taxation.

House bill No. 107 coming on for second reading, was read a second time.

On motion of Mr. Jennings, the bill was referred to the committee on agriculture.

House bill No. 109 coming on for second reading, was read a second time.

On motion of Mr. Dustin, the bill was referred to the committee on counties.

House bill No. 110 coming on for second reading, was read a second time.

On motion of Mr. Thomas, the bill was referred to the committee on military.

House bill No. 111 coming on for second reading, was read a second time.

On motion of Mr. McCracken, the bill was referred to the committee on corporations.

House bill No. 112 coming on for second reading, was read a second time.

On motion of Mr. McCracken, the bill was referred to the committee on fishing.

House bill No. 80 coming on for second reading, was read a second time.

On motion of Mr. Stewart, the bill was referred to the committee on judiciary.

House bill No. 88 coming on for a second reading, Mr. Moor of Benton, moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Merritt, McCracken, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Hartman, McCoy and Montgomery—3.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Minto, the bill was referred to the committee on railways and transportation.

House bill No. 90 coming on for a second reading, Mr. Armstrong moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Hartman, Montgomery, Snider and Thomas—4.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Paquet, the bill was referred to the committee on roads and highways.

House bill No. 91 coming on for a second reading, Mr. McCracken moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Hall, Hartman, Montgomery and Snider—4.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. McCracken, the bill was referred to the committee on corporations.

House bill No. 92 coming on for a second reading, Mr. Gambee moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Hall, Hartman, Montgomery and Snider—4.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Gambee, the bill was referred to the special committee on road appropriations.

House bill No. 93 coming on for a second reading, was read a second time.

Referred to the special committee on road appropriations.

House bill No. 94 coming on for a second reading, was read a second time.

On motion of Mr. Wilkins, the bill was referred to the committee on fishing.

House bill No. 95 coming on for second reading, was read a second time.

On motion of Mr. Thomas, the bill was referred to the committee on education.

House bill No. 96 coming on for second reading, was read a second time.

On motion of Mr. McCoy, the bill was referred to the committee on counties.

House bill No. 97 coming on for a second reading, Mr. Miller moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Armstrong, Hall, Hartman, Montgomery and Snider—5.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Miller, the bill was referred to the committee on railways and transportation.

House bill No. 99 coming on for second reading, Mr. McCoy moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Armstrong, Hall, Hartman, Montgomery and Snider—5.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Welch, the bill was referred to the committee on claims.

House bill No. 100 coming on for second reading, was read the second time.

Mr. Crook moved that Curry county be reduced to \$400.

Mr. McCoy moved that Sherman county be reduced from \$600 to \$300.

On motion of Mr. Starr, the bill was referred to the committee on counties.

House bill No. 101 coming on for a second reading, was read a second time.

On motion of Mr. Garfield, the bill was referred to the committee on assessment and taxation.

House bill No. 102 coming on for a second reading, Mr. Welch moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Armstrong, Hartman, Montgomery and Snider—4.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Welch, the bill was referred to the committee on commerce.

House bill No. 114 coming on for second reading, was read a second time.

On motion of Mr. Paquet, the bill was referred to the committee on ways and means.

House bill No. 115 coming on for second reading, was read a second time.

On motion of Mr. Gambee, the bill was referred to the committee on printing.

House bill No. 116 coming on for second reading, Mr. Moor of Benton moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambia, Garfield, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Armstrong, Hall, Hartman, Montgomery and Snider—5.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Moor of Benton, the bill was referred to the committee on education.

House bill No. 119 coming on for a second reading, Mr. Story moved that the rules be suspended and the bill be read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambia, Garfield, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Armstrong, Hall, Hartman, Montgomery and Snider—5.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Story, the bill was referred to a committee consisting of the Multnomah delegation.

House bill No. 120 coming on for second reading, was read the second time.

On motion of Mr. Blundell, the bill was referred to the committee on education.

House bill No. 121 coming on for second reading, was read the second time.

On motion of Mr. Stillwell, the bill was referred to the committee on education.

House bill No. 123 coming on for second reading, was read the second time.

On motion of Mr. Stewart, the bill was referred to the committee on judiciary.

House bill No. 124 coming on for second reading, was read the second time.

Referred to the special committee on road appropriations.

House bill No. 125 coming on for second reading, was read the second time.

On motion of Mr. McCall, the bill was referred to the committee on railways and transportation.

House bill No. 127 coming on for second reading, was read the second time.

On motion of Mr. Holmes, the bill was referred to the committee on corporations.

House bill No. 128 coming on for second reading, was read the second time.

On motion of Mr. Hall, the bill was referred to the committee on judiciary.

House bill No. 129 coming on for second reading, was read the second time.

On motion of Mr. Welch, the bill was referred to the committee on judiciary.

House bill No. 130 coming on for second reading, was read the second time.

On motion of Mr. Stewart, the bill was referred to the committee on judiciary.

House bill No. 131 coming on for second reading, Mr. Thomas moved that the rules be suspended and the bill be read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Armstrong, Hartman, Manning, Montgomery and Snider—5.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Thomas, the bill was referred to the committee on education.

House bill No. 132 coming on for second reading, was read the second time.

On motion of Mr. Thomas, the bill was referred to the committee on education.

House bill No. 133 coming on for second reading, was read the second time.

On motion of Mr. Thomas, the bill was referred to the committee on education.

- House bill No. 134 coming on for second reading, Mr. Durham moved that the rules be suspended and the bill be read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Armstrong, Hartman, Manning, Montgomery and Snider—5.

So the rules were suspended and the bill read a second time by title.

Referred to the special committee on road appropriations.

House bill No. 135 coming on for second reading, was read a second time.

On motion of Mr. Crook, the bill was referred to the committee on judiciary.

The committee on enrolled bills submitted the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house joint resolutions Nos. 1 and 3, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

REPORT.

HALL OF REPRESENTATIVES, }
 SALEM, Oregon, }
 January 26, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house joint memorial No. 3, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
 Chairman.

REPORT.

HALL OF REPRESENTATIVES, }
 SALEM, Oregon, }
 January 26, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house concurrent resolutions Nos. 1, 2, 3, 4, 5, 6, 10, 11, 12, 13 and 14, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
 Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 January 26, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bills Nos. 12 and 187, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
 Chairman.

Judge Catlin of Portland was, on motion, invited to a seat within the bar of the house.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
 SALEM, Oregon, }
 January 23, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 15, authorizing the

joint committee appointed to investigate the agricultural college to employ a clerk should they deem one necessary.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 23, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has adopted senate joint memorial No. 3, memorializing congress to appropriate money to survey the public lands in Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Botkin, Butler, Crook, Durham, Fox, Furry, Gambee, Garfield, Hall, Hansard, Henry, Jennings, Johnston, Killian, Lamson, Leeper, Littig, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Weed, Welch, Wilkins, Wright, and Mr. Speaker—49.

Nays—Messrs. Barrett, Coleman, Dustin, Holmes and Thompson—5.

Absent.—Messrs. Hardy, Hartman, Manning, Montgomery and Tracy—5.

Not voting—Mr. Meussdorffer—1.

So the house concurred in the memorial.

On motion of Mr. McCoy, the house adjourned.

R. R. HAYS,
Chief clerk.

TUESDAY, JANUARY 27, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

The house was called to order, Mr. Speaker in the chair, at 10 o'clock A. M.

The roll was called.

All the members were present except Messrs. Armstrong, Hartman, Henry and Montgomery.

On motion of Mr. Thomas, the reading of the journal of yesterday was dispensed with.

On motion of Mr. Story, Hon. T. F. Osborn was invited to a seat within the bar of the house.

Mr. McCracken introduced the following resolution and moved its adoption :

HOUSE RESOLUTION NO. 31.

Resolved, That the state printer is hereby directed to print house bill No. 118 forthwith and return to this house.

Resolution adopted.

On motion of Mr. Paquet, Hon. M. M. Davis was invited to a seat within the bar of the house.

Mr. Minto introduced house resolution No. 32 and moved its adoption :

HOUSE RESOLUTION NO. 32.

Whereas it is manifest that the sum total of the various appropriations asked for by bills now submitted to this body, in addition to what is necessary for improvements required by state institutions, current expenses, and unusual outlay for state aid in securing navigation of the Columbia river past the cascades and the dalles of the Columbia, for the purchase of the canal and locks at Oregon City, and for an exhibit for the state products and resources at the Columbian fair of 1893, will in the aggregate be more than the state ought to be charged with unless all means of outlay be reduced to what is absolutely necessary; therefore,

Resolved, That the various wagon road bills before this body should be so proportionately scaled down as to bring the aggregate appropriation for that purpose to \$100,000 or less; that all appropriations for home agricultural fairs be suspended until 1894; that the law providing for stenographic reporters for the courts of this state, and

that for the state board of horticulture be repealed; that no more money be appropriated to the use of the state agricultural college until the management of that institution gives evidence that it is answering the purpose of its endowment in the education of youth for the farm and the machine shop.

Mr. Hall moved to amend by striking out all that part in relation to short-hand reporters.

Mr. Manning moved to amend and to lay the resolution on the table.

Motion prevailed.

Mr. Merritt introduced a petition for a wagon road to connect with the counties of Jackson and Klamath.

The same was placed on file.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 27, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has appointed, under house concurrent resolution No. 14, on behalf of the senate, to draft a bill on apportionment, Messrs. Moore, Watkins and Veatch.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

The speaker appointed as a committee to memorialize congress for the relief of P. V. Stewart, Messrs. Paquet, McCracken and Minto.

The speaker announced he was about to sign house bills Nos. 12 and 187, and subsequently announced that he had signed them.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 27, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 10, a bill for an act to authorize Columbia county to construct and maintain certain bridges.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon;
January 27, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 44, a bill for an act allowing any justice of the peace to examine insane persons.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

The speaker announced that the next order of business was the second reading of house bills.

SECOND READING OF HOUSE BILLS.

House bill No. 136 coming on for second reading, was read a second time.

On motion of Mr. Reed, the bill was referred to the committee on fishing.

House bill No. 137 coming on for second reading, was read a second time.

On motion of Mr. Jennings, the bill was referred to the committee on counties.

House bill No. 138 coming on for second reading, was read a second time.

On motion of Mr. Jennings, the bill was referred to the committee on counties.

House bill No. 139 coming on for second reading, Mr. Killian moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Armstrong and Montgomery—2.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Holmes, the bill was referred to the committee on judiciary.

House bill No. 140 coming on for second reading, was read the second time.

On motion of Mr. Holmes, the bill was referred to the committee on education.

House bill No. 141 coming on for second reading, Mr. Wilkins moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Hartman, Montgomery and Snider—3.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Wilkins, the bill was referred to the special committee on road appropriations.

House bill No. 142 coming on for second reading, was read the second time.

On motion of Mr. Holmes, the bill was referred to the committee on agriculture.

House bill No. 143 coming on for second reading, Mr. Shedd moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thomp-

son, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Armstrong, Hall, Montgomery and Snider—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Shedd, the bill was referred to the committee on railways and transportation.

House bill No. 144 coming on for second reading, was read a second time.

On motion of Mr. Holmes, the bill was referred to the committee on judiciary.

House bill No. 145 coming on for second reading, was read a second time.

On motion of Mr. Holmes, the bill was referred to the committee on education.

House bill No. 146 coming on for second reading, Mr. McCoy moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussderffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Hartman, Montgomery and Snider—3.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Jennings, the bill was referred to the special committee to visit and examine the books of the state penitentiary.

House bill No. 147 coming on for second reading, was read the second time.

On motion of Mr. Wright, the bill was referred to the committee on counties.

House bill No. 148 coming on for second reading, was read the second time.

On motion of Mr. Holmes, the bill was referred to the committee on railways and transportation.

House bill No. 149 coming on for second reading, Mr. Wilkins

moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Hartman, Montgomery and Snider—3.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Dustin, the bill was referred to the committee on counties.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 27, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has adopted senate joint resolution No. 3, relative to the printing of 10,500 copies of the amended school laws.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Moor of Benton moved [that the house concur in the adoption of the resolution.]

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Holmes, Johnston, Killian, Lamson, Leeper, Littig, Manning, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—Messrs. Henry, Jennings, McAlister, Shedd and Thompson—5.

Absent—Messrs. Armstrong, Hall, McCoy and Montgomery—4.

Not voting—Mr. Coleman—1.

Resolution adopted.

By unanimous consent, the special committee on rules presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker :

Your special committee, to whom was referred the matter of changes in house rules, beg leave to report that they have had the matter under consideration, and would respectfully report that the rules of the house be amended as follows:

Rule 12. After the journals are read, business shall be disposed of in the following order—

1. Petitions, memorials and remonstrances.
2. Reports from standing committees.
3. Reports from select committees.
4. Propositions and motions.
5. Introduction and first reading of bills.
6. Second reading of house bills.
7. Third reading of house bills.
8. Bills, reports and other business lying on the table.
9. First reading of senate bills.
10. Second reading of senate bills.
11. Third reading of senate bills.
12. Other business of the senate.
13. Other business of the house.
14. Orders of the day.

Rule 26. When a question is under debate, no motion shall be received but to adjourn; to lay on the table; for the previous question; to postpone to a day certain; to postpone indefinitely;—which several motions shall have precedence in the order in which they stand arranged; and no motion to postpone indefinitely being decided shall be again allowed on the same day, and at the same stage of the bill or proposition.

P. PAQUET,
S. A. MANNING,
E. P. COLEMAN,
Committee.

On motion of Mr. Paquet, the report was adopted.

House bill No. 150 coming on for second reading, Mr. Minto

moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Hartman, Montgomery and Snider—3.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Johnston, the bill was referred to the committee on counties.

House bill No. 151 coming on for second reading, was read the second time.

On motion of Mr. Baker, the bill was referred to the committee on military affairs.

House bill No. 152 coming on for a second reading, was read the second time.

On motion of Mr. Butler, the bill was referred to the committee on judiciary.

House bill No. 153 coming on for second reading, was read the second time.

On motion of Mr. Butler, the bill was referred to the committee on judiciary.

House bill No. 154 coming on for second reading, was read the second time.

On motion of Mr. Butler, the bill was referred to the committee on judiciary.

House bill No. 155 coming on for second reading, was read the second time.

On motion of Mr. Moor of Benton, the bill was referred to the committee on alcoholic traffic.

House bill No. 155 was recalled from committee on alcoholic traffic and was referred to the special committee on surgery, of which Mr. Barnes is chairman.

House bill No. 157 coming on for second reading, was read the second time.

On motion of Mr. Minto, the bill was referred to the committee on fisheries.

House bill No. 158 coming on for second reading, was read the second time.

On motion of Mr. Reed, the bill was referred to the committee on fisheries.

House bill No. 159 coming on for second reading, Mr. Henry moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thamas, Thompson, Tracy, Weed, Welsh, Wilkins, Wright and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Armstrong, Hartman, Montgomery and Snider—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Henry, the bill was referred to the special committee on road appropriations.

House bill No. 160 coming on for the second reading, Mr. Merritt moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Armstrong, Hartman, Montgomery and Snider—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Merritt, the bill was referred to a special committee consisting of the Jackson county members, with leave to report at any time.

House bill No. 161 coming on for second reading, was read a second time.

On motion of Mr. Baker, the bill was referred to a committee consisting of the Marion county delegation.

House bill No. 162 coming on for second reading, Mr. Durham moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Armstrong, Hartman, Montgomery and Snider—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Welch, the bill was considered engrossed and ordered to a third reading to-morrow.

House bill No. 163 coming on for a second reading, was read the second time.

On motion of Mr. Barrett, the bill was referred to the committee on judiciary.

House bill No. 164 coming on for a second reading, was read the second time.

On motion of Mr. Tracy, the bill was referred to the committee on judiciary.

House bill No. 165 coming on for a second reading, was read the second time.

On motion of Mr. McCracken, the bill was referred to the committee on claims.

House bill No. 166 coming on for a second reading, was read the second time.

On motion of Mr. Hall, the bill was referred to the committee on fisheries.

House bill No. 167 coming on for a second reading, Mr. Dustin moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Armstrong, Hartman, Montgomery and Snider—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Dustin, the bill was referred to the special committee on road appropriations.

By unanimous consent, the special committee consisting of the Multnomah delegation submitted the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker:

Your special committee, consisting of representatives from Multnomah county, to whom was referred house bill No. 8, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments.

J. B. MONTGOMERY,
Chairman.

AMENDMENT.

That section 122 of chapter 11 be amended to read as follows:

Sec. 122. The power and authority given to the city by section 121 hereof, to construct or purchase water and electric light works and issue and dispose of bonds therefor, shall be exercised by the common council, but the power and authority given to maintain, operate and continue the construction of such works, shall be exercised as hereinafter provided by three *bona fide* resident taxpayers of the city of East Portland, to be elected by the common council of said city, who shall be styled collectively the water and light commission, and are hereinafter mentioned and referred to as the commission.

The office of the said commissioners shall commence when the purchase or construction of the water works and plant, as hereinafter provided for is completed, and shall expire on the first Monday in July, 1892.

At the city election held the third Monday in June, 1892, there shall be elected three water and light commissioners, possessing the qualifications hereinafter provided for, who shall be elected by the qualified voters of said city, and whose terms shall commence on the first Monday in July, of said year, and the term of one of whose office shall expire on the first Monday in July, 1893, one on the first Monday in July, 1894, one on the first Monday in July, 1895, and they shall decide by lot as soon after their election as convenient as to their respective terms.

Upon the third Monday in June, 1893, and at every general city election thereafter, there shall be elected one commissioner, the term of whose office shall expire on the first Monday in July in the third year thereafter.

The commissioners elected hereunder shall possess the qualifications of members of the common council, and shall be taxpayers of the city, as provided by section 138. They shall hold their office for the term of three years, except as herein provided.

AMENDMENT.

That section 123 be amended to read as follows:

Sec. 123. The water and light commission, at their pleasure, shall elect a presiding officer from their number who shall be styled chairman of the commission, and they shall also employ a clerk, who shall be styled clerk of the commission.

AMENDMENT.

That section 124 be amended to read as follows:

Sec. 124. The common council shall fill any vacancy that may occur in said commission by death, resignation, removal from the city, or otherwise, by the appointment of a person to be a member thereof who is a *bona fide* resident and taxpayer of the city, and who shall hold his office during the remainder of the unexpired term.

A majority of the commissioners shall constitute a quorum for the transaction of business.

AMENDMENT.

That section 127 be amended so as to read as follows:

Sec. 127. The clerk of the commission is its clerical officer, and

he shall make and keep correct minutes of its acts and doings, countersign all orders authorized by it and signed by the chairman for the payment of money, and witness all written contracts signed by the chairman on its behalf, keep its accounts and have the custody of its books and papers.

AMENDMENT.

In section 130 strike out the word "process" where it appears, and substitute the word "proceeds."

AMENDMENT.

That section 131 be amended to read as follows:

Sec. 131. As soon as sufficient funds are realized from the sale of said bonds, the common council shall proceed to acquire, by purchase or construction, a system of water works and light works of sufficient size and capacity to supply the demands of the city and inhabitants thereof, and shall turn over the same and all property pertaining thereto to said water and light commission, and the commission shall thereupon take possession and charge of, and manage, conduct and maintain the same, and in doing so it may alter, improve and extend such works from time to time as the growth of the city and the wants and convenience of the inhabitants thereof may require.

AMENDMENT.

In section 135 strike out the words "transfer to" and substitute "acquisition by."

AMENDMENT.

In section 137 strike out all of said section up to the word "each."

AMENDMENT.

That the following words be added to subdivision 5 of section 37 of chapter 5:

"Provided, however, that no license shall be issued for the sale of spirituous or malt liquors for a less sum than required by the county or state for such license."

AMENDMENT.

That section 61, chapter 8, be amended to read as follows:

Sec. 61. Whenever the council shall deem it expedient to lay out and establish, extend or widen a street or alley, it shall, either by

motion or resolution, direct the city surveyor to survey such new street or alley, or such extended or widened street or alley, as the case may be, and to mark the boundaries thereof, and to make and file a plat of such street or alley, and shall make his report, containing a full and perfect description of the portion of each lot or part thereof or parcel of land to be appropriated for such street or alley, to the council, which report, when so made, if satisfactory to the council, shall be adopted by an ordinance embodying such report. The city surveyor shall make such survey and file such plat and report within twenty days from the time the same is ordered, unless the council, by motion or resolution, grant further time.

AMENDMENT.

In section 63, chapter 8, add the word "extended" immediately after the word "established," where it appears, and add the word "extending" immediately after the word "establishing" where it appears, and add the word "extending" immediately after the words "laying out."

AMENDMENT.

In section 69, chapter 8, add the words "or parcel of land" immediately after the words "part thereof," and add the word "extending" immediately after the word "establishing," and add the word "extended" immediately after the word "established."

AMENDMENT.

In section 71, chapter 8, add the word "extending" immediately after "establishing."

AMENDMENT.

That section 77, chapter 9, be amended to read as follows:

Sec. 77. Add the following: "The letting of contract for such improvement will be deemed the commencement of such improvement under this section."

AMENDMENT.

Section 100. Insert the word "not" between the words "shall" and "apply," and strike out the word "not" between "shall" and "apply."

AMENDMENT.

That section 76, chapter 9, be amended to read as follows:

Sec. 76. Within ten days from the expiration of such notice, the resident owners of more than one-half of the adjacent property to

such street, or part thereof as the case may be, may make and file with the recorder a written remonstrance against the proposed improvement, and thereupon the same shall not be then further proceeded with or made; and any improvements so defeated by remonstrance shall not be again proposed for three months, except on petition of one-third of the property owners to be affected thereby.

On motion of Mr. Hall, the report and amendments were adopted, and house bill No. 8 was ordered engrossed and passed to a third reading.

The special committee consisting of the Multnomah delegation, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker:

Your committee, the Multnomah delegation, to whom was referred house bill No. 40, beg leave to say that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. B. MONTGOMERY,
Chairman.

On motion of Mr. Hall, the report was adopted, and house bill No. 40 was considered engrossed and passed to third reading tomorrow.

The special committee consisting of the Multnomah delegation submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker:

Your committee of the Multnomah delegation, to whom was referred house bill No. 16, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. B. MONTGOMERY,
Chairman.

On motion of Mr. Hall, the report was adopted and house bill No. 16 was considered engrossed and passed to third reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 27, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 12, a bill for an act to provide for the completion of the state capitol building, and to appropriate money therefor.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

House bill No. 168 coming on for second reading, Mr. Barrett moved that the rules be suspended and the bill be read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Armstrong, Montgomery and Suider—3.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Barrett, the bill was referred to the committee on judiciary.

House bill No. 169 coming on for its second reading, Mr. Welch moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr,

Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent — Messrs. Armstrong, Hartman, Montgomery and Snider—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Crook, the bill was referred to the committee on printing.

House bill No. 170 coming on for a second reading, Mr. McCall moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent — Messrs. Armstrong, Hartman, Montgomery and Snider—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Crook, the bill was referred to the committee on printing.

House bill No. 172 coming on for a second reading, Mr. Manning moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Armstrong, Montgomery and Snider—3.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. McCoy, the bill was referred to the committee on agricultural societies.

House bill No. 173 coming on for second reading, Mr. Crook moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Armstrong, Montgomery and Snider—3.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Crook, the bill was referred to the special committee on road appropriations.

House bill No. 174 coming on for a second reading, was read a second time.

On motion of Mr. Barrett, the bill was referred to the committee on judiciary.

House bill No. 175 coming on for a second reading, was read a second time.

On motion of Mr. Barrett, the bill was referred to the committee on judiciary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 27, 1891.

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 16, a bill for an act to amend section 1183 of title 8 of chapter 15 of Hill's annotated laws of Oregon, relating to charges and claims against the estate of a decedent.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Barrett, the house adjourned.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 27, 1891. }

The house was called to order with Mr. Speaker in the chair.

The roll was called.

All present except Messrs. Armstrong, Hartman, Montgomery and Snider.

MESSAGE FROM THE HOUSE.

SENATE CHAMBER,
SALEM, Oregon,
January 27, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 11, a bill for an act to amend section 2897 of title 3, chapter 18 of the laws of Oregon, as annotated and compiled by W. Lair Hill, relating to guardians and wards.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 27, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 131, a bill for an act entitled an act to amend section 2364 of title 2 of chapter 11 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

The committee on elections submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker :

Your committee on elections, to whom was referred house bill No. 49, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment, to wit:

AMENDMENT.

That wherever the date "the first Monday in June" occurs in said act, that the same be changed so as to read, "the third Monday in June."

W. N. BARRETT,
Chairman.

(On motion of Mr. Hall, the report and amendment were adopted.

On motion of Mr. Hall, the chief clerk was instructed to insert the amendment at the desk, which was done, and the bill was considered engrossed and passed to third reading.

On motion of Mr. Shedd, the courtesies of the house were extended to Hon. R. A. Irvine, and he was provided with a seat within the bar of the house.

On motion of Mr. Barnes, the courtesies of the house were extended to Hon. Thomas Paulsen and Hon. J. C. Moreland, and they were provided with seats within the bar of the house.

The committee on corporations submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred house bill No. 111, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report was adopted, and house bill No. 111 was considered engrossed for a third reading to-morrow.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred house bill No. 127, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

The report was adopted.

On motion of Mr. Story, house bill No. 127 was considered engrossed for a third reading to-morrow.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred house bill No. 108, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

By adding section 2:

Inasmuch as it is necessary for the future protection of property other than can be afforded by the general laws of the state, this act shall take effect from and after its approval by the governor.

GEO. L. STORY,
Chairman.

On motion of Mr. Garfield, the report and amendment were adopted, and house bill No. 108 was ordered engrossed for a third reading.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred house bill

No. 13, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion of Mr. Hall, the report was adopted, and house bill No. 13 was ordered engrossed for a third reading to-morrow.

House bill No. 176 coming on for a second reading, Mr. Starr moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Armstrong, Hartman, Montgomery and Snider—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Starr, the bill was referred to the committee on judiciary.

House bill No. 177 coming on for second reading, was read the second time.

On motion of Mr. Morey, the bill was referred to the committee on judiciary.

House bill No. 179 coming on for second reading, was read the second time.

On motion of Mr. Butler, the bill was referred to the committee on judiciary.

House bill No. 180 coming on for second reading, was read the second time.

On motion of Mr. Butler, the bill was referred to the committee on counties.

House bill No. 182 coming on for second reading, was read the second time.

On motion of Mr. Miller, the bill was referred to the special committee on road appropriations.

House bill No. 183 coming on for second reading, was read the second time.

On motion of Mr. Holmes, the bill was referred to the committee on judiciary.

House bill No. 184 coming on for second reading, was read the second time.

On motion of Mr. Wilkins, the bill was referred to the committee on agriculture.

House bill No. 185 coming on for second reading, Mr. Miller moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Armstrong, Hartman, Montgomery and Snider—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Miller, the bill was referred to the committee on railways and transportation.

House bill No. 188 coming on for a second reading, was read a second time.

On motion of Mr. Barrett, the bill was referred to the committee on judiciary.

House bill No. 189 coming on for second reading, Mr. McCoy moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Armstrong, Hartman, Montgomery and Snider—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. McCoy, the bill was referred to the committee on agriculture.

House bill No. 190 coming on for second reading, was read the second time.

On motion of Mr. Minto, the bill was referred to the committee on claims.

House bill No. 192 coming on for second reading, Mr. McCoy moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Armstrong, Hartman, Montgomery and Snider—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Baker, the bill was referred to the committee on agriculture.

House bill No. 193 coming on for second reading, Mr. Baker moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Armstrong, Durham, Hartman, Montgomery and Snider—5.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Welch, the bill was referred to the committee on judiciary.

House bill No. 195 coming on for second reading, Mr. Manning moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Armstrong, Fox, Furry, Hartman, Miller and Montgomery—6.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Manning, the bill was referred to the committee on ~~assessment~~ and taxation.

Mr. Welch moved that house bill No. 197 be returned from the printer.

Motion prevailed.

House bill No. 197 coming on for a second reading, Mr. Welch moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Fox, Furry, Gambee, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Armstrong, Dustin, Garfield, Hartman, McCracken and Montgomery—6.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Welch, the bill was referred to the committee consisting of the Clatsop county delegation.

House bill No. 198 coming on for a second reading, was read the second time.

On motion of Mr. Starr, the bill was referred to the committee on assessment and taxation.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 27, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 4, a bill for an act to provide for the appropriation of water from lakes and streams for irrigation purposes, etc.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

House bill No. 199 coming on for second reading, Mr. Wilkins moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Armstrong, Hartman and Montgomery—3.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Thomas, the bill was referred to the committee judiciary.

House bill No. 201 coming on for second reading, was read the second time.

On motion of Mr. Welch, the bill was referred to the committee on agriculture.

House bill No. 202 coming on for second reading, was read the second time.

On motion of Mr. Hall, the bill was referred to the committee on judiciary.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 27, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 17, a bill for an act to create the office of recorder of conveyances in the counties of Linn, Washington, Yamhill and other counties, and to prescribe the duties and fees therefor.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

House bill No. 203 coming on for second reading, was read the second time.

On motion of Mr. Miller, the bill was referred to the committee on railroads and transportation.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 27, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 14, a bill for an act to regulate the recording of town plats and cemetery plats and to provide for the preservation of the same.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

House bill No. 204 coming on for a second reading, was read the second time.

On motion of Mr. Jennings, the bill was referred to the committee on railways and transportation.

House bill No. 205 coming on for a second reading, Mr. Wilkins moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Hall, Hartman, Johnston and Montgomery—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Myers, the bill was referred to the committee on education.

House bill No. 206 coming on for second reading, Mr. Manning moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Botkin, Hartman, Littig and Montgomery—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Paquet, the bill was referred to the committee on roads and highways.

House bill No. 210 coming on for second reading, was read the second time.

On motion of Mr. Blundell, the bill was referred to the committee on education.

House bill No. 211 coming on for second reading, was read the second time.

On motion of Mr. Paquet, the bill was considered engrossed and ordered to third reading to-morrow.

House bill No. 213 coming on for second reading, Mr. Holmes moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Armstrong, Botkin, Furry, Littig and Montgomery—5.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Holmes, the bill was referred to the committee on ways and means.

House bill No. 214 coming on for second reading, Mr. Holmes moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Furry, Hartman, Henry, Montgomery and Reed—5.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Garfield, the bill was referred to the committee on counties.

House bill No. 215 coming on for second reading, Mr. Blundell moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Paquet, Reed, Richey, Shedd, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—48.

Not voting—Messrs. Hall, Henry, Holmes, Littig, Manning, Myer, Mulkey, Snider and Stephenson—9.

Absent—Messrs. Armstrong, Hartman and Montgomery—3.

So the rules were suspended, the bill read the second time by title and passed to a third reading without further question.

On motion of Mr. Blundell, the bill was referred to the committee on judiciary.

House bill No. 216 coming on for second reading, was read the second time.

On motion of Mr. Reed, the bill was referred to the committee on counties.

House bill No. 217 coming on for second reading, was read the second time.

On motion, the bill was referred to the special committee on road appropriations.

House bill No. 218 coming on for second reading, Mr. Miller moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Story, Thomas, Thompson, Weed, Welch, Wright, and Mr. Speaker—48.

Nays—None.

Absent—Messrs. Armstrong, Hartman and Montgomery—3.

Not voting—Messrs. Henry, Littig, McAlister, McCall, Meussdorffer, Myer, Stillwell, Tracy and Wilkins—9.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Miller, considered engrossed and passed to third reading without further question.

Mr. Miller moved to refer this bill to the committee on railways and transportation.

Carried.

House bill No. 220 coming on for second reading, Mr. McCall moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Henry, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Coleman, Hall, Hartman, Holmes, Montgomery and Stewart—6.

So the rules were suspended, the bill read the second time by title, and considered engrossed for a third reading without further question.

On motion of Mr. McCall, this bill was referred to the committee on education.

The committee on engrossed bills submitted the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bill No. 122, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house

bill No. 181, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

House bill No. 63 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—51.

Nays—Messrs. Crook, Miller and Wilkins—3.

Absent—Messrs. Armstrong, Hall, Hartman, Henry, Montgomery and Snider—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 27, 1891. }

Mr. Speaker :

I am directed by the president to inform you that he has signed house bills Nos. 12 and 187.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

On motion of Mr. Coleman, Hon. L. Bilyeu, ex-member of this house, was invited to a seat within the bar.

On motion of Mr. Jennings, Mr. Washburn was invited to a seat within the bar.

House bill No. 122 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield,

Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Hartman and Montgomery—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Blundell, the house adjourned.

R. R. HAYS,
Chief clerk.

WEDNESDAY, JANUARY 28, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

The house was called to order at 10 A. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Coleman, Hartman, Littig, Milier, Montgomery and Weed.

Prayer was offered by Rev. J. B. Johnson of the Christian Church, Salem.

The reading of yesterday's journal was, on motion of Mr. Welch, dispensed with.

The following message was received from the senate and read:

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 6, a bill for an act entitled an act to authorize the governor and the state treasurer of the state of Oregon, and their successors in office, for and in the name and behalf of the state of Oregon, to build, construct, operate and maintain a portage

railway between the highest and lowest points of the navigable waters of the Columbia river at the cascades in Oregon, and to appropriate money therefor.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

THIRD READING OF HOUSE BILLS.

House bill No. 181 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Not voting—Messrs. Crook, Hartman, Manning and Montgomery—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. McCoy introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 34.

Resolved, That the state printer be required to print the substitute bill prepared by the committee on assessment and taxation immediately, making it preferred to all other printing.

Resolution adopted.

Mr. Holmes introduced house concurrent resolution No. 17, and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO. 17.

Whereas the 1,000 copies of the governor's message to this session of the legislature have now been distributed; and

Whereas constant demands are being made for the same by the people; therefore be it

Resolved by the House, the Senate concurring:

That an additional 1,000 copies of said message be printed for distribution among the people of this state.

Resolution adopted.

Mr. Botkin, chairman of the special committee to whom was referred house bill No. 44, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your special committee, to whom was referred house bill No. 44, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with all after the enacting clause stricken out and the following substituted therefor.

O. S. BOTKIN,
Chairman.

On motion of Mr. Botkin, the report with amendments were adopted.

Section 1. That section 2 of an act entitled an act to regulate the practice of medicine and surgery in the state of Oregon, filed in the office of the secretary of state February 28, 1889, be and the same is hereby amended so as to read as follows:

Sec. 2. The governor shall appoint five persons from among the most competent physicians of the state, all of whom shall have been residents of the state for seven years, and of at least five years practical experience in their profession, who shall be known as the medical board of examiners for the state of Oregon, three of whom shall be of the regular or allopathic school of medicine, one of the eclectic and one of the homeopathic school. One shall hold his office for one year, one for two years, one for three years, one for four years and one for five years, and each until his successor shall be appointed and qualified, and each year thereafter a member of said board shall be so appointed for five years and until a successor be appointed and qualified. If a vacancy occur in said board from any cause, the same shall be filled as heretofore provided to fill the unexpired term thereof. Said board shall elect one of their number secretary. Certificates shall be signed by at least three members of the board, of whom three shall constitute a quorum to do business, and shall

have power to make by-laws and all necessary regulations for the proper fulfillment of their duties under this act.

Section 2. That section 3 of the aforesaid act be and the same is hereby amended so as to read as follows:

Sec. 3. The medical board of examiners shall issue certificates to all who shall furnish satisfactory proof of having received diplomas as on licenses from legally chartered medical institutions in good standing of whatsoever school or system of medicine. They shall prepare three forms of certificates: one for persons in possession of diplomas or licenses, one for candidates examined by the board, and one for those who are practicing medicine or surgery in the state of Oregon and have registered their names and places of residence with the county clerk of the county in which they reside, in conformity with section 13 of the aforesaid act, who have not heretofore made application for and received a certificate from the board authorizing them to practice medicine and surgery. The board of examiners shall furnish the county clerks of the several counties with a list of the names of all persons to whom they issue certificates.

Section 3. That section 4 of the aforesaid act be and the same is hereby amended so as to read as follows:

Sec. 4. The medical board of examiners shall examine diplomas as to their genuineness, and if the diplomas shall be found to be genuine as represented, the secretary of the board shall receive a fee of one dollar (\$1) from each graduate licentiate, and no further charge shall be made to such applicants; but if the diploma or license be found to be fraudulent or not lawfully owned by the possessor, the board shall be entitled to charge and collect \$20 from the applicant presenting the same. The certificate of the diploma or license shall consist in the affidavit of the holder and applicant that he or she is the person therein named. Such affidavit may be taken before any person authorized to administer oaths, and the same shall be attested under the hand and official seal of such officer, if he have a seal. Graduates may present their diplomas and affidavits as provided in this act by letter or by proxy or in person, and the medical board of examiners shall issue a certificate to the applicant; but not unless they are satisfied that the same is genuine. Every person who has registered as provided in section 13 of the aforesaid act, but who has not made application for and received a certificate from the medical board of examiners authorizing them to practice medicine or surgery in this state, shall, within ninety days after the passage of this act, present to the secretary of the medical board a certificate of such register from the county clerk of the county where he registered, together with a fee of \$1, whereupon the said medical board of examiners shall issue

their certificate authorizing the person therein named to practice medicine and surgery in the state of Oregon; *provided further*, that those who have heretofore made application for and obtained certificates from the board of examiners for the state of Oregon under existing law, shall not be required to make further application under this act.

Section 4. That section 5 of the aforesaid act be and the same is hereby amended to read as follows:

Sec. 5. All examinations of persons not graduates or licentiates or registered shall be made directly by the board, or otherwise, as the board may direct.

Section 5. That section 6 of the aforesaid act be and the same is hereby amended so as to read as follows:

Sec. 6. Examination may be made in whole or in part in writing, and shall be of an elementary and practical character, but sufficiently strict to test the qualifications of the candidate as a practitioner; and for each and every one so examined the board of examiners shall receive the sum of ten dollars (\$10).

On motion of Mr. Barnes, the report and substitute was adopted.

On motion of Mr. Armstrong, the report was referred to the committee on engrossed bills.

House bill No. 162 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Crook, Durham, Fox, Furry, Garfield, Hall, Hansard, Hardy, Henry, Killian, Lamson, Leeper, Littig, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wright, and Mr. Speaker—43.

Nays—Messrs. Coleman, Jennings, McAlister, Minto, Mulkey, Paquet, Shedd, Thompson and Wilkins—9.

Excused—Mr. Johnston—1.

Not voting—Messrs. Gambee, Holmes and Reed—3.

Absent—Messrs. Barnes, Dustin, Hartman and Montgomery—4.

So the bill passed; and there being no objections, the title of the bill was ordered to stand as the title of the act.

Mr. McCoy asked a leave of absence for the members of the committee appointed to visit and investigate the state agricultural college at Corvallis.

Granted.

On motion of Mr. Stewart, house bill No. 40 was recommitted to the delegation from Multnomah county, with leave to report thereon at any time.

The Multnomah county delegation, through Mr. Hall, chairman *pro tem.*, presented the following report on house bill No. 38:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee consisting of the Multnomah county delegation, to whom was referred house bill No. 38, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the amendment submitted herewith.

JOHN H. HALL,
Chairman *pro tem.*

AMENDMENT.

Section 24. The committee, so long as it shall continue to exist, and the commission, when selected, shall have the right to appropriate and condemn to the uses aforesaid, any private real property, bridge, ferry, approach to bridge or ferry, or riparian rights for the general use of the people of the cities of Portland, East Portland and Albina, and the same may be entered upon, examined, surveyed and settled in the mode prescribed by the statutes of the state for the appropriation of land for corporate purposes; and thereafter the committee or commission, as the case may be, seeking to make such appropriation, may proceed in the manner prescribed by said statutes to have such property appropriated, and the compensation therefor determined and paid, and not otherwise, except that the compensation may be paid by the deposit in court of an order duly drawn upon the treasurer of said committee or commission for the amount of such compensation.

On motion of Mr. Meussdorffer, the report with the amendment was adopted.

On motion of Mr. Hall, it was referred to the committee on engrossed bills.

House bill No. 16 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Garfield, Hall, Hansard, Hardy, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Meussdorf-

fer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Gambee, Hartman, Henry, McCoy, Merritt, Montgomery and Weed—7.

So the bill passed; and there being no objection, the title was ordered amended and allowed to stand as the title of the act.

House bill No. 49 was read a third time.

On motion of Mr. Hall, the clerk was instructed to insert the name of Joseph Simon in place of B. P. Cardwell where the same occurs in the bill.

Mr. Holmes moved that the bill be re-committed to the committee on elections.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Coleman, Dustin, Garfield, Hansard, Holmes and Thompson—6.

Nays—Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Crook, Durham, Fox, Furry, Gambee, Hall, Hardy, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—48.

Absent—Messrs. Hartman, Henry, McCoy, Meussdorffer, Montgomery and Weed—6.

So the motion was lost.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Hartman, Henry, McCoy, Meussdorffer, Montgomery and Weed—6.

So the bill passed, and there being no objection, the title of the bill stood as the title of the act.

The following message was received from the legislative assembly of the state of Washington and read:

MESSAGE.

HALL OF REPRESENTATIVES,
OLYMPIA, January 26, 1891. }

To the Honorable Speaker, House of Representatives, State of Oregon:

DEAR SIR: Under instruction from the house of representatives of the state of Washington, I forward to you duplicate copy of house concurrent resolution No. 7, passed. It was introduced by Mr. Megler in the house.

T. G. NICKLIN,
Chief clerk house.

HOUSE CONCURRENT RESOLUTION NO. 7.

Resolved by the House, the Senate concurring:

That a special committee, of three from the house and two from the senate, be appointed to meet with a like committee appointed by the legislature of the state of Oregon, to look after the fishing industries on the Columbia river, and regulate the laws governing the same with uniform laws, and that the clerk be instructed to notify the legislature of the state of Oregon of such action.

Adopted by the house January 22, 1891.

AMOS F. SHAW,
Speaker *pro tem.* of the house.

Concurred in by senate January 22, 1891.

E. T. WILSON,
President *pro tem.* of the senate.

Joint committee: Senators Luce and Clough, Representatives Megler, Jones and Putney.

On motion, the house adjourned.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

The house was called to order pursuant to adjournment, Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Furry, Hardy, Hartman, Henry, McCoy, Montgomery and Weed.

The Multnomah county delegation, to whom was referred house bill No. 40, presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee consisting of the Multnomah county delegation, to whom was referred house bill No. 40, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. B. MONTGOMERY,
Chairman.

On motion of Mr. Hall, the report was adopted.

Mr. Thomas moved that house bill No. 40 be considered engrossed and placed upon its final passage to-morrow.

Motion carried.

Mr. Merritt, by unanimous consent, introduced a petition in relation to wagon road appropriations, and moved that the petition, with like petitions introduced yesterday, be referred to the special committee on wagon road appropriations.

So referred.

Mr. McCall, by unanimous consent, introduced a like petition.

So referred.

Mr. Speaker announced that he was about to sign house joint memorial No. 3, house joint resolutions Nos. 1 and 3, and house concurrent resolutions Nos. 1, 2, 3, 4, 5, 6, 10, 11, 12, 13 and 14, and shortly thereafter that he had signed the same.

Mr. Hall, chairman of the committee on judiciary, to whom was referred house resolution No. 29, presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred resolution No. 29, beg leave to report that they have had the same under consideration, and would respectfully report that, in compliance with said resolution, they have drafted a bill providing for the holding of a constitutional convention, and would recommend that said bill do pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house concurrent resolutions Nos. 1, 2, 12, 13, 11, 14, 4, 6, 3, 5 and 10, house joint memorial No. 3, and house joint resolutions Nos. 3 and 1.

And the same are herewith returned to you.

O. P. MILLER,
Chief clerk.

On motion, Hons. J. T. Apperson, J. D. Lee, David Goodsell and Mr. Hawley, ex members of the house, were invited to seats within the bar of the house.

Mr. Hall, by unanimous consent, introduced house bill No. 247:

"A bill for an act recommending to the electors of the state of Oregon to vote for or against a convention to revise and change the constitution of the state."

The bill was read the first time and passed to a second reading without question.

House bill No. 111 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Holmes, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Welch, Wilkins, Wright, and Mr. Speaker—49.

Nays—Messrs. Coleman, Garfield, Jennings, Shedd, Stephenson and Tracy—6.

Absent—Messrs. Hartman, Henry, McCoy, Montgomery and Weed—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 127 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, But-

ler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent — Messrs. Hartman, Henry, McCoy, Montgomery and Weed—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 211 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Hall, Hartman, Henry, McCoy, Montgomery and Weed—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 17 came up for a third reading, and on motion of Mr. Miller, the bill was laid on the table, a bill of like import having already passed both houses.

House bill No. 40 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—52.

Nays—Messrs. Meussdorffer, Stephenson and Thompson—3.

Absent — Messrs. Hartman, Henry, McCoy, Montgomery and Weed—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The following message was received from the senate and read:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 48, a bill for an act to amend an act entitled an act of holding session of the supreme court.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Killian introduced the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO. 18.

Whereas there is great necessity of the immediate opening of the Columbia river to free navigation; and

Whereas it is desirable to have the said river so opened in the most effective manner; therefore,

Resolved by the House, the Senate concurring:

That a joint committee, to consist of three on the part of the house and two on the part of the senate, be appointed to confer, by telegraph or otherwise, with the proper officials of the Union Pacific railway company for the purpose of ascertaining if the said company will sell, or lease, the portage road now operated by it between the upper and lower cascades of the Columbia river; and if so, to ascertain the price thereof and the terms of payment therefor, and to report thereon as soon as possible.

Mr. Dustin moved to amend the resolution by inserting a provision looking to the leasing of the portage road in question, which amendment was accepted by Mr. Killian.

Mr. Miller moved to refer the resolution to a special committee of three, to be appointed by the speaker.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Furry, Hall, Hansard, Hardy, Jennings, Johnston, Lamson, Littig, McCall, Merritt, Miller, Moor of Benton, Moore of Washington, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Tracy, Wilkins and Wright—33.

Nays—Messrs. Baker, Blundell, Dustin, Gambee, Garfield, Holmes, Killian, Leeper, Manning, McAlister, McCracken, Meussdorffer, Minto, Morey, Myer, Paquet, Stephenson, Thomas, Thompson, Welch, and Mr. Speaker—21.

Absent—Messrs. Fox, Hartman, Henry, McCoy, Montgomery and Weed—6.

So the motion prevailed.

The speaker appointed as such committee, Messrs. Miller, Welch and Killian.

The following report was received from the Multnomah delegation.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee, the Multnomah delegation, to whom was referred house bill No. 212, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. B. MONTGOMERY,
Chairman.

On motion of Mr. Story, the report was adopted and the bill ordered to its third reading to-morrow.

House resolution No. 32 was taken from the table.

Mr. Manning moved its indefinite postponement.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barrett, Botkin, Butler, Coleman, Crook, Durham, Fox, Furry, Garfield, Hall, Hardy, Holmes, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McCall, Merritt, Miller, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—40.

Nays—Messrs. Armstrong, Baker, Barnes, Blundell, Dustin, Gambee, Hansard, Killian, McAlister, McCracken, Meussdorffer, Minto and Thompson—13.

Absent—Messrs. Hartman, Henry, McCoy, Montgomery, Morey, Story and Weed—7.

So the resolution was indefinitely postponed.

House resolutions Nos. 21 and 23 were taken from the table, and on motion further consideration thereof was indefinitely postponed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 122, with the following amendments herewith attached.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

AMENDMENT.

Amend house bill No. 122 by adding thereto the following sections, to wit:

Section 73. In all election precincts or polling places situate within an incorporated city of this state containing five thousand inhabitants or more, as shown by the last census of said city taken by any state or federal authority, the judges and clerks of any political primay election held for the purpose of nominating candidates for election, or for selecting delegates to a nominating convention whereby candidates are selected for any public office, shall, before entering upon their duties, take and subscribe the oath prescribed by law for judges and clerks at a general election.

Section 74. The judges and clerks at such primary election shall keep a record of all votes cast thereat, with the names and place of residence of every person voting at such election, and also the names of all persons whose votes have been rejected, and a concise statement of the reason for such rejection. Such record shall be kept in duplicate, and substantially in the same form as the poll-books of a general election, and shall be styled the poll-books of such primary election. One copy of such poll-books shall be filed with the clerk of the county court of the county in which such election is held, and the other poll-book shall be delivered to the political organization under whose authority such primary election is held.

Section 75. If at any political primary election held by any political party or organization in this state, any individual shall falsely personate and vote under the name of any other person, or shall intentionally vote without the right to do so, or shall wilfully or wrongfully obstruct or prevent others from voting who have the right to do so at such primary election, or shall fraudulently or wrongfully conceal or destroy ballots cast, or shall in any way intentionally and wrongfully deposit ballots in the ballot-box, or take them therefrom, or shall commit any other fraud or wrong tending to defeat or affect the result of the election, he shall be deemed guilty of felony and be punished as hereinafter provided.

Section 76. If any judge or clerk at any such primary election shall knowingly receive or record the vote of any individual who is known to him not to be entitled by the regulations of the association or political party holding the primary election to vote at such primary, or shall in any manner fraudulently or wrongfully deposit or put any ballots into, or take any from the ballot-box of said primary election, or shall knowingly make any false count, canvass, statement, certificate or return of the ballots cast or vote taken at such primary election, he shall be deemed guilty of felony and punished as hereinafter provided.

Section 77. The punishment of any of the offenses in sections 75 and 76 of this act declared to be a felony, shall be a fine of not less than two hundred dollars and not exceeding one thousand dollars, or imprisonment in the penitentiary of this state not less than one year or more than three years, or by both such fine and imprisonment.

AMENDMENT.

Amend section 59 of the bill so as to read as follows:

Section 59. On receipt of his white ballot, as aforesaid, the elector shall forthwith, and without leaving the enclosed space, retire alone to one of the compartments or places provided and shall there prepare his ballot by cancelling or marking out the names of the candidates he does not wish to vote for, which shall be done with an indelible copying pencil, to be furnished for the purpose, or by scratching with pen and ink for each office to be filled, for which he is qualified to vote, and if necessary he may write into the blank space provided therefor the name of the person of his choice for each or any such office, and in case of a question submitted to the vote of the people, by cancelling or marking out the answer he does not wish to make or give.

Before leaving the compartment or place provided the elector shall fold his ballot so that the face thereof will be concealed, with-

out displaying the ballot or informing any person how he has prepared it, and he shall fold the ballot so that the number written by the first clerk may be seen on the back of the remaining stub, and so that the stub may be readily torn off without exposing the contents of the ballot or the marks thereon. He shall then deliver the ballot to the chairman and state his name and residence.

If the official ballots required by this act fail to arrive at any polling-place, or if the supply is insufficient and becomes exhausted, or for any other reason any elector is unable to obtain the official ballots in accordance with the provisions of this act, then in such cases it shall be the duty of the judges of election at such polling-place to make an order permitting every such elector unable as aforesaid to obtain the official ballot, to prepare his ballot in the place provided for electors to mark their ballots, in the form most convenient, and if necessary may have assistance as provided in section 66 of this act, and vote the same and have it duly counted; and in such cases the judges may make a further order authorizing some person or persons to print and deliver to them ballots substantially like the official white and colored ballots, and that upon receipt of such ballots they shall be used to supply the place of the official ballots.

On motion of Mr. Story, house bill No. 122 with its amendments was referred to the committee on elections.

On motion of Mr. Holmes, the state printer was authorized to print 150 copies of the amendments for the use of members.

Mr. Meussdorffer moved that house bill No. 38 be recalled from the committee on engrossment and be referred back to the committee consisting of the Multnomah county delegation.

Motion carried.

Mr. Armstrong moved for a reconsideration of the vote whereby house bill No. 122 with amendments was referred to the committee on elections.

The motion to reconsider was lost.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the adoption of house concurrent resolution No. 17,

providing for the printing of 1000 copies of the governor's message.
And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

Senate bill No. 18 was taken up.

Mr. Stewart moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Hartman, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

Senate bill No. 10 was taken up.

The bill was read the first time and passed to its second reading without question.

Senate bill No. 44 was taken up.

The bill was read the first time and passed to its second reading without question.

Senate bill No. 12 was taken up.

Mr. Barrett moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Blundell, Hartman, Henry, McCoy, Montgomery and Weed—6.

So the rules were suspended, the bill read the first time by title and passed to second reading without further question.

Mr. Speaker called Mr. Story to the chair.

Senate bill No. 16 was taken up.

Mr. Wilkins moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thamas, Thompson, Tracy, Welch, Wilkins and Wright—54.

Nays—None.

Absent—Messrs. Hartman, Henry, McCoy, Montgomery, Weed, and Mr. Speaker—6.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

Senate bill No. 11 was taken up.

The bill was read the first time and passed to its second reading without question.

Senate bill No. 131 was taken up.

The bill was read the first time and passed to a second reading without question.

Senate bill No. 4 was taken up.

Mr. Wright moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins and Wright—54.

Nays—None.

Absent—Messrs. Hartman, Henry, McCoy, Montgomery, Weed, and Mr. Speaker—6.

So the rules were suspended, the bill was read the first time by title, and passed to second reading without further question.

Mr. Gambee moved that the rules be suspended and senate bill No. 4 be read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins and Wright—54.

Nays—None.

Absent—Messrs. Hartman, Henry, McCoy, Montgomery, Weed, and Mr. Speaker—6.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Gambee, the bill was referred to the committee on mining.

Senate bill No. 17 was taken up.

The bill was read the first time and passed to a second reading without a question.

Senate bill No. 14 was taken up.

Mr. Killian moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins and Wright—54.

Nays—None.

Absent—Messrs. Hartman, Henry, McCoy, Montgomery, Weed, and Mr. Speaker—6.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Senate bill No. 6 was taken up.

Mr. Durham moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins and Wright—54.

Nays—None.

Absent—Messrs. Hartman, Henry, McCoy, Montgomery, Weed, and Mr. Speaker—6.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. Speaker resumed the chair.

Mr. Durham moved that the rules be suspended and senate bill No. 6 read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Holmes, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—Messrs. Armstrong and Jennings—2.

Absent—Messrs. Hall, Hartman, Henry, Littig, McCoy, Montgomery, Thomas and Weed—8.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Miller, the bill was amended by striking out the name of the secretary of state where it appears in the printed bill and inserting the name of M. A. Moody instead.

On motion of Mr. Minto, the bill was referred to the committee on railways and transportation.

Senate bill No. 48 was taken up.

The bill was read the first time and passed to a second reading without question.

On motion of Mr. Hall, the house adjourned.

R. R. HAYS,
Chief clerk.

MONDAY, JANUARY 29, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

The house was called to order at 10 o'clock A. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Henry, Holmes, McCall, McCoy, Montgomery, Reed, Thompson and Weed.

Prayer was offered by Rev. Robert Whitaker of the Baptist Church, Salem.

The journal of yesterday was read in part, and, on motion of Mr. Hansard, further reading was dispensed with.

Mr. Hall moved that a special session of the house be held this evening at 8 o'clock for the consideration of incorporation bills.

Mr. Paquet moved to amend by setting next Monday evening at 8 o'clock for such special session.

The amendment was carried.

Mr. Hall, on his motion, obtained unanimous consent for the clerk of the house to be instructed to insert the enacting clause of house bill No. 8, which was inadvertently omitted.

Mr. Moor of Benton, on his motion, obtained unanimous consent for the clerk of the house to be instructed to insert the enacting clause of house bill No. 103, inadvertently omitted.

The following messages from the senate were received and read:

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 148, a bill for an act to incorporate the town of Burns, in Harney county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 125, a bill for an act to incorporate the town of Canyon City, Grant county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 126, a bill for an act to incorporate the city of Albany, in Linn county, Oregon, and to repeal all acts or parts of acts in conflict therewith.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 129, a bill for an act to incorporate the city of Corvallis, in Benton county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 136, a bill for an act to amend section 17 of an act entitled an act to incorporate the town of Prineville, in the county of Wasco, Oregon, and approved October 23, 1880.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 139, a bill for an act to incorporate the town of Lebanon, in Linn county, state of Oregon, and to repeal all acts or parts of acts in conflict therewith.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 81, a bill for an act to amend sections 4, 5, 8, 14 and 16 of an act entitled an act to incorporate the city of Scio, Linn county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 191, a bill for an act to incorporate the town of Independence, in Polk county, Oregon.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 89, a bill for an act to amend an act entitled an act to incorporate the town of Summerville, in Union county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 143, a bill for an act to re-incorporate the town of Coquille City, in Coos county, Oregon, and to repeal an act entitled an act to incorporate the town of Coquille City, in Coos county, Oregon, approved February 25, 1885.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 111, a bill for an act to incorporate the city of Eugene, in Lane county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 67, the same being a bill for an act entitled an act to amend an act to incorporate the town of Springfield, Lane county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 79, a bill for an act to incorporate the city of Oregon City, Clackamas county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 54, a bill for an act to incorporate the town of Cottage Grove, Lane county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 27, the same being a bill for an act to incorporate the town of Medford, in Jackson county, state of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 65, a bill for an act to incorporate the town of Huntington, Baker county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has

passed senate bill No. 57, a bill for an act to incorporate the town of Elgin, Union county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 23, a bill for an act to incorporate the city of Athena, in Umatilla county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

The delegation from Jackson county, to whom was referred house bill No. 160, presented the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

Your committee, the Jackson county delegation, to whom was referred house bill No. 160, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

SAMUEL FURRY,
J. M. McCALL,
J. W. MERRITT.

Mr. Merritt moved that the report be adopted.

Carried.

Mr. Merritt moved that the bill be considered engrossed for a third reading to-morrow.

Carried.

The Multnomah delegation, to whom was referred house bill No. 20, presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker :

Your committee, the Multnomah delegation, to whom was referred house bill No. 20, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report was adopted and the bill referred to the committee on engrossed bills.

The Multnomah delegation, to whom was referred house bill No. 38, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker :

Your committee, consisting of the Multnomah delegation, to whom was referred house bill No. 38, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass and that the following enacting clause be inserted: "Be it enacted by the legislative assembly of the state of Oregon"; and that the word "witness," in line 4, section 8, be stricken out, and the word "attest" be substituted therefor.

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report and amendments were adopted and the bill referred to the engrossing committee.

The speaker announced the order of business to be the

FIRST READING OF SENATE BILLS.

Senate bill No. 148 was taken up.

Mr. Barrett moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Baker, McCoy, Montgomery, Snider and Weed—5.

So the rules were suspended, the bill read the first time by title and passed to its second reading without further question.

Mr. Coleman moved that the rules be suspended and senate bill No. 148 be read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Blundell, Crook, Henry, McCoy, Montgomery and Weed—6.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Coleman, the bill was referred to the committee on corporations.

Senate bill No. 125 was taken up.

Mr. Coleman moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr,

Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—Mr. Merritt—1.

Absent—Messrs. Henry, McCoy, Montgomery and Weed—4.

So the rules were suspended, the bill read the first time by title, and passed to its second reading without further question.

Mr. Coleman moved that the rules be suspended and the bill read the second time by title.

• On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—Messrs. Merritt and Snider—2.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. McCracken, the bill was referred to the committee on corporations.

Senate bill No. 126 was taken up.

Mr. Coleman moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, McCoy, Montgomery, Snider and Weed—5.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. Meussdorffer moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Shedd, the bill was referred to the committee on corporations.

Senate bill No. 129 was taken up.

Mr. Wilkins moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Armstrong, Crook, Henry, McCoy, Montgomery and Weed—6.

So the rules were suspended, the bill read the first time by title and passed to second reading without further question.

Mr. Merritt moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider,

Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Barrett, the bill was referred to the committee on corporations.

Senate bill No. 136 was taken up.

Mr. Barrett moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Fox, Furry, Gambia, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCracken, Merritt, Meussdorffer, Miller, Minto, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Crook, Dustin, Henry, McCall, McCoy, Montgomery, Moor of Benton and Weed—8.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

Mr. Barrett moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Fox, Furry, Gambia, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCracken, Merritt, Meussdorffer, Miller, Minto, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Crook, Dustin, Henry, McCall, McCoy, Montgomery, Moor of Benton and Weed—8.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Barrett, the bill was referred to the committee on corporations.

Senate bill No. 139 was taken up.

Mr. Jennings moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCracken, Merritt, Meussdorffer, Miller, Minto, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—51.

Nays—None.

Absent—Messrs. Armstrong, Crook, Dustin, Henry, McCall, McCoy, Montgomery, Moor of Benton and Weed—9.

So the rules were suspended and the bill read the first time by title, and passed to a second reading without further question.

Mr. Hall moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCracken, Merritt, Meussdoffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Armstrong, Crook, Henry, McCall, McCoy, Miller, Montgomery and Weed—8.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Shedd, the bill was referred to the committee on corporations.

Senate bill No. 18 was taken up.

Mr. Blundell moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman,

Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Armstrong, Crook, Henry, McCall, McCoy, Miller, Montgomery and Weed—8.

So the rules were suspended and the bill read the first time by title, and passed to a second reading without further question.

Mr. Jennings moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Sheed, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Miller, Montgomery and Weed—6.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Hall, the bill was referred to the committee on corporations.

Senate bill No. 89 was taken up.

Mr. Barrett moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. Barnes moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Miller, Montgomery and Weed—6.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Hall, the bill was referred to the committee on corporations.

Senate bill No. 43 was taken up.

Mr. Wilkins moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended and the bill read the first time by title, and passed to a second reading without further question.

Mr. McAlister moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Miller, Montgomery and Weed—6.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Gambee, the bill was referred to the committee on corporations.

Senate bill No. 111 was taken up.

Mr. Miller moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry McCoy, Montgomery and Weed—5.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. Jennings moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Jennings, the bill was referred to the committee on corporations.

Senate bill No. 67 was taken up.

Mr. Wilkins moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended and the bill read the first time by title, and passed to a second reading without further question.

Mr. Wilkins moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Wilkins, the bill was referred to the committee on corporations.

Senate bill No. 79 was taken up.

Mr. Gambee moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

Mr. Wilkins moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Wilkins, the bill was referred to the committee on corporations.

Senate bill No. 54 was taken up.

Mr. Wilkins moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd,

Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended, the bill read the first time by title and passed to second reading without further question.

Mr. Wilkins moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Wilkins, the bill was referred to the committee on corporations.

Senate bill No. 65 was taken up.

Mr. Hardy moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended, the bill read the first time by title, and passed to second reading without further question.

Mr. Hardy moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Hardy, the bill was referred to the committee on corporations.

Senate bill No. 27 was taken up.

Mr. Wilkins moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. Wilkins moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider,

Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Wilkins, the bill was referred to the committee on corporations.

Senate bill No. 57 was taken up.

Mr. Littig moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. Littig moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Littig, the bill was referred to the committee on corporations.

Senate bill No. 23 was taken up.

Mr. Barrett moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. Barrett moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Henry, McCoy, Montgomery and Weed—5.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Barrett, the bill was referred to the committee on corporations.

The speaker announced that the next order of business was the

SECOND READING OF SENATE BILLS.

Senate bill No. 18 coming on for second reading, was read the second time.

On motion of Mr. Stephenson, the bill was referred to a special committee, consisting of the delegations from Crook, Klamath and Lake counties.

The following message was received from the senate and read:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 27, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate joint memorial No. 3, senate joint resolution No. 3, and senate bill No. 5, are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate joint memorial No. 3, senate joint resolution No. 3, and senate bill No. 5.

The speaker announced that he had signed senate joint memorial No. 3, senate joint resolution No. 3, and senate bill No. 5.

Senate bill No. 10 coming on for second reading, was read the second time.

On motion of Mr. Coleman, the bill was referred to the committee on roads and highways.

Senate bill No. 44 coming on for second reading, was read the second time.

On motion of Mr. Baker, the bill was referred to the committee on judiciary.

Senate bill No. 12 coming on for second reading, Mr. Wilkins moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Wilkins, Wright, and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Armstrong, Crook, Henry, McCoy, Montgomery, Thompson, Weed and Welch—8.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Thomas, the bill was referred to the committee on ways and means.

Senate bill No. 16 coming on for second reading, Mr. Durham moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Wilkins, Wright, and Mr. Speaker—51.

Nays—None.

Absent—Messrs. Armstrong, Crook, Gambee, Henry, McCoy, Montgomery, Thompson, Weed and Welch—9.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Stewart, the bill was referred to the committee on judiciary.

Senate bill No. 11 coming on for second reading, was read a second time.

On motion of Mr. Stewart, the bill was referred to the committee on judiciary.

Senate bill No. 131 coming on for second reading, was read a second time.

On motion of Mr. Miller, the bill was referred to a special committee of the members from Coos county.

Senate bill No. 17 coming on for second reading, was read a second time.

On motion of Mr. Coleman, the bill was referred to a special committee of the delegation from Lane county.

Senate bill No. 14 coming on for second reading, was read a second time.

On motion of Mr. Moor of Benton, the bill was referred to a committee consisting of the delegation from Benton county.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 29, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bill No. 46 with the following amendments herewith attached.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 23, 1891. }

Mr. President :

Your committee on judiciary, to whom was referred house bill No. 46, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Add after the word "purpose," in line 2, section 1, of printed bill, the word "wilfully."

THOS. H. TONGUE,
Chairman.

Amendment adopted by the senate January 22, 1891.

On motion of Mr. Welch, the house concurred in the amendment to house bill No. 46.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 29, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bill No. 24 with the following amendment herewith attached.

And the same is herewith returned to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 23, 1891. }

Mr. President:

Your committee on judiciary, to whom was referred house bill No. 24, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out all of section 3.

THOS. H. TONGUE,
Chairman.

Amendment adopted by the senate January 23, 1891.

On motion of Mr. Barrett, the house concurred in the senate amendment to house bill No. 24.

Senate bill No. 48 coming on for second reading, was read the second time.

On motion of Mr. Holmes, the bill was referred to the committee on judiciary.

Mr. Morey moved that house bill No. 20 be referred to the committee consisting of the Multnomah county delegation, with leave to report at any time.

Carried.

Mr. Stillwell introduced the following joint resolution and moved its adoption:

HOUSE JOINT RESOLUTION NO. 5.

Whereas the mouths of several rivers, namely, the Tillamook, the Wilson, the Trask, the Kilchis and the Miami, constituting Tillamook bay, would, if improved, be a valuable and needed harbor of refuge, and furnish a refuge for ships of any size, and would have an anchorage ground of twelve miles in length, and with abundance of water and sheltered roadway; and

Whereas this port would be the natural outlet of a vast region of immense fertility and limitless resources in the way of grain, stock, fish, dairy products and lumber, and is not now sufficiently improved

for the exporting of the now vast resources of Tillamook county; and

Whereas the section of country thus made available would support a large and useful population, and would constitute a large addition to the wealth and resources of the state of Oregon; and

Whereas through the sale of public domain the government has received from Tillamook county about four hundred thousand dollars; therefore be it

Resolved by the House, the Senate concurring :

That our senators and representative in congress be requested to use every legitimate means to obtain from the congress of the United States an appropriation of two hundred thousand dollars for the survey and the improvement of Tillamook bay; and be it

Further resolved, That the secretary of state be instructed to transmit a copy of this resolution to each of our senators and to our representative in congress.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Blundell, Henry, McCoy, Montgomery and Weed—5.

So the joint resolution was adopted.

• MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 29, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bill No. 10, with the following amendment herewith attached.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 23, 1891. }

Mr. President:

Your committee on elections, to whom was referred house bill No. 10, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Amend section 1 by adding thereto the words "in the record of deeds of such counties."

H. E. CROSS,
Chairman.

Amendment adopted by the senate January 29th.

On motion of Mr. Paquet, the house concurred in the senate amendment to house bill No. 10.

Mr. Blundell introduced the following resolution, and moved its adoption:

HOUSE RESOLUTION NO. 33.

Resolved, That the biennial report of the Oregon weather bureau be referred to the committee on agriculture for their examination, and report the result of said examination to this house.

Resolution adopted.

Mr. McCall introduced the following joint house memorial and moved its adoption:

HOUSE JOINT MEMORIAL NO. 9.

To the Honorable the Oregon delegation in the Congress of the United States:

Your memorialists, the legislative assembly of the state of Oregon, would respectfully call your attention to the fact that Fort Klamath, in the state of Oregon, has been abandoned as a military post.

That the Indians on the Klamath and the Yeanox reservation near said post have not become civilized, and are liable to go out on a raid of depredations during any excitement or frenzy among the Indians of the Pacific coast.

That this post and reservation is surrounded by a considerable

settlement of our citizens, whose lives and property would be at the mercy of said Indians, should they go on the warpath.

That the interest of the whites and said Indians frequently clash, and trouble is liable to ensue.

We, therefore, ask that you use all honorable means at your command to induce the secretary of war to re-establish Fort Klamath as a military post, and to re-garrison the same, and that the same be done as speedily as possible.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Henry, McCoy, Montgomery, Morey and Weed—5.

So the joint memorial was adopted.

Messrs. Morey and Montgomery were, on motion, excused from attendance on account of sickness.

Mr. Killian offered the following house concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO. 19.

Whereas the speedy and complete opening of the Columbia river to the immense and growing commerce of Eastern Oregon and Washington is a matter of greatest importance; and

Whereas it is reported and believed that under the present system of operations at the Cascade locks the appropriations made by congress have not been and will not be used to the best advantage to accomplish that object; and

Whereas the best business methods should be employed in prosecuting this great work and in the disposal of the appropriations made; therefore

Be it resolved by the Legislative Assembly of the State of Oregon:

That our senators and representatives in congress are requested to urge upon the war department and congress the advisability and business necessity of hereafter letting out this work by contract, under such terms and guarantees as will insure a speedy and econ-

omical and the most beneficial use of the appropriations made; and that congress shall at once, or as soon as the matter can be considered, make at least the full appropriation required by such contract for continuous work and the speediest possible completion of the locks at the Cascades.

Resolved further, That if, in the opinion of our senators and representatives, and of congress and the war department, the canal or the proposed boat railway at and across the dalles of the Columbia will require more than two or three years to construct, then an appropriation for a portage railway around said obstructions be made at once, and said portage railway constructed as speedily as possible, as a measure of at least temporary relief.

Resolved, That while we do not hereby express any dictation as to the best method to be employed in opening said river from The Dalles to Celilo, as an ultimate and permanent means of use and relief, yet for at least temporary and speedy use and relief, we urge the building, within the shortest time possible, of such portage railway.

Resolved, That the secretary of state be directed to forward at once a certified copy of these resolutions to each of our senators and our representatives in congress, and to the secretary of war.

Resolution adopted.

The following messages were received from the senate and read:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 29, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 127.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 29, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 31, a bill for an act to incorporate the town of Fossil, in Gilliam county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 162.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

Mr. Paquet, chairman of special committee on the petition of Hon. Peter G. Stewart, presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your special committee to whom was referred the matter of the petition of Hon. Peter G. Stewart for memorial to congress, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that the memorial herewith presented be unanimously adopted.

P. PAQUET,
Chairman.

HOUSE JOINT MEMORIAL NO. 10.

INTRODUCED BY SPECIAL COMMITTEE.

To the Honorable the Senate and House of Representatives of the United States:

Your memorialists, the legislative assembly of the state of Oregon, would respectfully represent that from August, 1850, to and including August, 1853, one Peter G. Stewart was the owner of the possessory right in and to an undivided two-tenths of the town of Pacific City, situated on Baker's Bay, in Pacific county, Washington, but which was then a part of the territory of Oregon.

That he was a settler in good faith upon the land so occupied,

and intended in good faith to procure title to the same, and during said dates had erected an iron house of the value of \$4,000, and had made other improvements thereon of the value of \$6,000.

That before he had procured title to said property, the government of the United States, in the year 1853, reserved the same for lighthouse purposes, and that thereby said Peter G. Stewart failed not only to secure title to his interest in said town-site, but lost the aforesaid valuable improvements upon said property.

That the government has not made any compensation for said losses, and that a bill appropriating money to pay the same has been introduced and is now pending.

That the other persons who owned an interest in said town-site have been by act of congress compensated for the losses suffered by them under the same circumstances, notably one J. D. Holman, another part owner in said Pacific City, who, under the provisions of section 14, page 500, volume 9, United States statutes at large, was paid a large sum for losses suffered by him by the same reservation.

That said Peter G. Stewart was an early pioneer in Oregon, and was one of the executive committee that governed Oregon before the laws of the United States were extended over it and while it was claimed by Great Britain, and in such position and otherwise engaged prominently in the struggle that finally made Oregon an American state instead of a British province.

That we are satisfied of the honesty and justice of his aforesaid claim for compensation.

Therefore respectfully ask your honorable body to pass the said bill reimbursing him for said losses.

And as in duty bound your memorialists will ever pray.

The secretary of state is hereby instructed to send to the honorable senators and representatives in congress from this state a copy each of this memorial, and request their hearty support of the bill for the relief of the mentioned petition.

Mr. Paquet moved the adoption of the joint memorial.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lanson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None..

Absent—Messrs. Henry, McCoy, Montgomery, Morey and Weed—5.

So the joint memorial was adopted.

Mr. Reed introduced the following house joint memorial and moved its adoption:

HOUSE JOINT MEMORIAL NO. 11.

To the Honorable Senators and Representative in Congress of the United States:

Your memorialists, the legislative assembly of the state of Oregon, would respectfully represent:

That the Umpqua river, in the state of Oregon, is a suitable stream for the successful propagation of salmon and other food fishes.

That its situation geographically makes it suitable for a distributing point for the waters of Coquille river and Coos bay and river, and the Siuslaw river.

That the salmon industry in these waters will soon entirely fail unless artificial propagation is resorted to.

We therefore ask that a measure pass congress appropriating \$10,000 for the establishment of a hatchery on said Umpqua river, to be expended under the direction of the United States fish commission, or the fish commissioners of the state of Oregon.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thamas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Henry, McCoy, Montgomery, Morey and Weed—5.

So the joint memorial was adopted.

Mr. Moor of Benton introduced the following joint resolution and moved its adoption:

HOUSE JOINT RESOLUTION NO. 6.

Resolved by the House, the Senate concurring:

That the secretary of state be and is hereby directed to compile and prepare the road laws, and game and fish laws of the state, as amended this session of the legislature, and cause 2500 copies of

each to be printed, and distribute as many thereof as may be necessary to the proper officers in the state.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Kilian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Henry, McCoy, Montgomery, Morey and Weed—5.

So the joint resolution was adopted.

On motion of Mr. Botkin, the house adjourned.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

The house was called to order at 2 o'clock P. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Montgomery and Morey, excused.

The following petitions were read:

From citizens of Wasco county, protesting against creating a new county therefrom or any change in the boundaries thereof.

Referred to committee on counties.

From numerous citizens, asking for the taxation of church property.

Referred to committee on assessment and taxation.

From citizens of East Portland, urging the passage of house bill No. 38.

Laid on the table.

From citizens of Umatilla county, urging the division of said county.

Referred to committee on counties.

From citizens of Wallowa county, asking provisions for an increase in the salary of county judge in said county.

Referred to committee on counties.

From citizens of Hubbard, Marion county, asking favorable action on the passage of the new charter of said city.

Referred to committee on corporations.

From citizens of Umatilla county, remonstrating against the division of said county.

Referred to committee on counties.

From citizens of Newport, asking for the passage of the charter of said city, incorporating the same.

Referred to the delegation from Benton county.

From citizens of Coyote precinct, Lane county, remonstrating against a large appropriation for the world's fair, and that the same do in no case exceed \$50,000.

Referred to committee on agriculture.

From citizens of Multnomah county, asking for the enactment of the Australian ballot law.

Referred to committee on elections.

From citizens of Fossil, urging the incorporation of said city.

Referred to committee on corporations.

From citizens asking that the state publish school books.

Referred to committee on education.

From citizens of the seventh judicial district, asking for an additional circuit judge in said district.

Referred to a committee consisting of the members from that judicial district.

Mr. Story introduced the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO. 20.

Resolved by the House, the Senate concurring:

That a joint committee be appointed, consisting of three members on part of the house and two on part of the senate, to whom shall be referred all bills relating to insurance matters and foreign corporations.

Resolution adopted.

Mr. McCracken introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 35.

Resolved, That the state printer be and is hereby directed to print house bill No. 227, and return to this house as early as possible.

Resolution adopted.

Mr. Welch asked for leave of absence from the adjournment of the house this evening until Monday morning, February 2d.

Granted.

Mr. Blundell, chairman of the committee on education, presented the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on education, to whom was referred house bill No. 132, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Section 2. Inasmuch as there is urgent necessity for this law at once, this act shall go into force and effect immediately after its approval by the governor.

J. E. BLUNDELL,
Chairman.

WM. ARMSTRONG.

On motion of Mr. Thomas, the report with amendment was adopted and the bill referred to the committee on engrossed bills.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on education, to whom was referred house bill No. 116, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. E. BLUNDELL,
Chairman.

WM. ARMSTRONG.

On motion of Mr. Blundell, the report was adopted and the bill considered engrossed and ordered to its third reading to-morrow.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on education, to whom was referred house bill No. 120, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. E. BLUNDELL,
Chairman.

WM. ARMSTRONG.

The report was, on motion of Mr. Blundell, adopted, and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on education, to whom was referred house bill No. 25, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass, and that the same be amended so as to include the emergency section, as follows:

AMENDMENT.

Section 2. As the annual school meetings are to be held on the first Monday in March, 1891, this act shall take effect and be in force from and after its approval by the governor.

J. E. BLUNDELL,
Chairman.

On motion of Mr. Blundell, the report with amendment was adopted, and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on education, to whom was referred house bill No.

No. 145, beg leave to report that they have have had the same under consideration, and would respectfully report it back to the house without recommendation other than the following:

AMENDMENT.

That subdivision 6, of section 2853, amended in said bill, shall be changed to read as follows: When either of the parties thereto is affected with scrofulous, syphilitic or other congenital diseases.

J. E. BLUNDELL,
Chairman.

WM. ARMSTRONG.

The report and amendment were, on motion of Mr. Blundell, adopted, and the bill ordered to the engrossing committee.

Mr. Moor of Benton requested that house bill No. 178 be recalled from the state printer and referred to a committee consisting of the members from Benton county.

It was so ordered.

The committee on judiciary presented the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 9, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

After the word "corporation," in line 2 of section 1, insert "joint stock company, partnership, contractor."

AMENDMENT.

Strike out all of section 1 after the word "money," on line 14, and insert in place thereof the words "of the United States."

AMENDMENT.

Where the word "corporation" occurs in section 2, insert the same words proposed to follow the same word in section 1.

AMENDMENT.

After the word "paid," in line 7 of section 2, insert the words "and in case suit or action be instituted to enforce the provisions of this act, such additional sum as the court may adjudge as reasonable for the pay of the plaintiff's attorney."

AMENDMENT.

Strike out all of section 3.

AMENDMENT.

After the word "corporation," in section 4, insert the same words as in preceding sections.

JOHN H. HALL,
Chairman.

The report and amendments were, on motion of Mr. Hall, adopted, and the bill was ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 31, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house to the effect there are no legal objections to its passage.

JOHN H. HALL,
Chairman.

The report was, on motion of Mr. Hall, adopted, and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 51, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the house without recommendation.

JOHN H. HALL,
Chairman.

The report was, on motion of Mr. Hall, adopted, and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 57, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments.

JOHN H. HALL,
Chairman.

AMENDMENT.

To amend the title of house bill No. 57 by adding the following words: "relating to the duties of clerks of county and circuit courts in Multnomah county."

AMENDMENT.

To amend subdivision ninth of said bill so as to read as follows:

Ninth—In the performance of his duties to conform to the direction of the court such clerks shall be subject to the same responsibilities and liabilities in the discharge of their duties as are now prescribed for the county clerk of Multnomah county for similar duties; and they shall respectively be entitled to the same fees and compensation that are now allowed to the county clerk of Multnomah county for such services, or which hereafter may be allowed by law, and shall have the same rights and remedies to secure and enforce the payment of the same.

The clerk of the circuit court shall have the power to demand and collect from the plaintiffs in any action, or suit, a deposit of \$7.50 on account of fees before the filing of the first pleadings in such action, suit or proceedings, and in case of refusal by said plaintiff to make such deposit, the said clerk may refuse to file the offered pleading.

The report and amendments were, on motion of Mr. Hall, adopted, and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 130, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass, amended as follows:

AMENDMENT.

Amend by striking out the word "precinct" wherever in the bill the words "justice of the peace and constable precinct" occur, and substituting therefor the word "district."

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report and amendment were adopted, and the bill ordered to the committee on engrossed bills.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 36, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments.

JOHN H. HALL,
Chairman.

AMENDMENT.

That section 1 of house bill No. 36 be amended so as to read as follows:

Sec. 1. That any person or persons who shall wilfully, wantonly or negligently cut, fall, throw or place in any running stream in this state of sufficient capacity to float any such log or logs or in any draining ditch in this state any tree, brush, log or drift, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by fine of not less than ten dollars or more than fifty dollars;

provided always, that this act shall not apply to saw logs placed in any stream for driving or rafting.

AMENDMENT.

And that the following section be added to said act:

Sec. 2. Justices' courts shall have jurisdiction of all offenses committed under the provisions of this act.

The reports and amendments were, on motion of Mr. Hall, adopted, and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 74, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

After the word "paid" in line 4, printed bill, insert the words "not exceeding a period of fifteen days."

JOHN H. HALL,
Chairman.

The report and amendment were, on motion of Mr. Hall, adopted, and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 123, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Amend by striking out the words from the word "by" on line 2 to the word "court" on line 4, inclusive.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report and amendment were adopted and the bill ordered to the committee on engrossed bills.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker :

Your committee on judiciary, to whom was referred house bill No. 153, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Insert after the word "effect" and before the word "property" on line 22 of section 495 the word "vested."

AMENDMENT.

Also insert the word "such" before the word "guardian" on line 28.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report and amendments were adopted and the bill ordered to the committee on engrossed bills.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker :

Your committee on judiciary, to whom was referred house bill No. 168, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Substitute the word "his" for the word "its," in line 16 of the second subdivision of section 249.

JOHN H. HALL,
Chairman.

The report and amendment were, on motion of Mr. Hall, adopted, and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 144, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

JOHN H. HALL,
Chairman.

The report was, on motion of Mr. Hall, adopted, and the bill was ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 139, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

JOHN H. HALL,
Chairman.

The report, on motion of Mr. Hall, was adopted, and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 18, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation, and with the following amendment:

AMENDMENT.

That the title of the bill be amended by adding thereto the words "relating to interest and usury."

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report and amendment were adopted, and the bill ordered to the engrossing committee.

Mr. Armstrong moved that house bill No. 146 be recalled from the special committee on investigation of the state penitentiary, to whom it was referred, and that it be referred to the committee on judiciary.

Motion carried.

The committee on claims presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on claims, to whom was referred house bill No. 99, for the relief of Mrs. A. L. Stinson, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. W. McCALL,
Chairman.

On motion of Mr. McCall, the report was adopted.

On motion of Mr. Shedd, the bill was considered engrossed and passed to third reading.

The committee on military affairs presented the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on military affairs, to whom was referred house bill No. 2, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that sections 2, 3, 4, 5 and 6 do pass, and report back section 1 without recommendation.

WARREN E. THOMAS,
Chairman.

On motion of Mr. Thomas, the report was adopted, the bill considered engrossed and passed to third reading.

REPORT.

HALL OF REPRESENTATIVES, }
 SALEM, Oregon, }
 January 29, 1891. }

Mr. Speaker:

Your committee on military affairs, to whom was referred house bill No. 110, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

That the title of the act be amended so as to read as follows:

"A bill for an act entitled an act to amend sections 3765 and 3786 of the miscellaneous laws of the state of Oregon, as compiled and annotated by W. Lair Hill, relating to fines assessed by courts-martial or courts of discipline, and to building of armories, and to provide for the payment of armory rent."

AMENDMENT.

That section 1 be amended by inserting the figures \$25 where the figures \$200 occur, and by inserting the figures \$100 where the figures \$500 occur.

WARREN E. THOMAS,
 Chairman.

On motion of Mr. Thomas, the report and amendments were adopted and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
 SALEM, Oregon, }
 January 28, 1891. }

Mr. Speaker:

Your committee on roads and highways, to whom was referred house bill No. 41, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

C. E. MOOR,
 Chairman.

On motion of Mr. Moor of Benton, the report was adopted and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on roads and highways, to whom was referred house bill No. 206, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

C. E. MOOR,
Chairman.

On motion of Mr. Moor, the report was adopted and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on roads and highways, to whom was referred house bill No. 70, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass, on account of its similarity to house bill No. 58, already favorably reported.

C. E. MOOR,
Chairman.

On motion of Mr. Moor of Benton, the report was adopted and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on roads and highways, to whom was referred house bill No. 83, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

C. E. MOOR,
Chairman.

On motion of Mr. Moor of Benton, the report was adopted.

On motion of Mr. Thomas, the bill was considered engrossed and ordered to a third reading to-morrow.

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

Your committee on roads and highways, to whom was referred house bill No. 82, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

In section 2, line 4 of printed bill, strike out the word "five" and insert "three" in lieu thereof.

C. E. MOOR,
Chairman.

The report and amendment were, on motion of Mr. Moor of Benton, adopted, and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 28, 1891. }

Mr. Speaker:

Your committee on roads and highways, to whom was referred house bill No. 78, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass, on account of its similarity to house bill No. 103, already favorably reported.

C. E. MOOR,
Chairman.

The report was, on motion of Mr. Moor of Benton, adopted.

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 26, 1891. }

Mr. Speaker:

Your committee on roads and highways, to whom was referred

house bill No. 4, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

In line 15 of printed bill strike out the word "four" and insert "six" in lieu thereof.

C. E. MOOR,
Chairman.

The report and amendment were, on motion of Mr. Moor of Benton, adopted, and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker:

Your committee on roads and highways, to whom was referred house bill No. 5, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

C. E. MOOR,
Chairman.

The report was, on motion of Mr. Moor of Benton, adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker:

Your committee on roads and highways, to whom was referred house bill No. 45, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

C. E. MOOR,
Chairman.

The report was, on motion of Mr. Moor of Benton, adopted.

On motion of Mr. McCoy, the bill was considered engrossed and passed to third reading to-morrow.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker:

Your committee on roads and highways, to whom was referred house bill No. 58, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

C. E. MOOR,
Chairman.

The report was on motion of Mr. Moor of Benton, adopted, and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker:

Your committee on roads and highways, to whom was referred house bill No. 90, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

C. E. MOOR,
Chairman.

The report was, on motion of Mr. Moor of Benton, adopted, and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker:

Your committee on roads and highways, to whom was referred house bill No. 103, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line 10 of printed bill, strike out "five" and insert "such" in lieu thereof.

AMENDMENT.

In line 11 insert after the word "bid," "as shall be satisfactory to the county court."

AMENDMENT.

After the last word of the printed bill add: "This act shall take effect and be in force from and after its approval by the governor."

C. E. MOOR,
Chairman.

The report and amendments were, on motion of Mr. Moor of Benton, adopted, and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bills Nos. 13, 108, 38 and 8, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred senate joint memorial No. 2, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house concurrent resolution No. 15, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred house bill No. 194, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report was adopted.

On motion of Mr. Manning, the bill was considered engrossed for a third reading to-morrow.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker :

Your committee on commerce, to whom was referred house bill No. 102, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN FOX,
Chairman.

On motion of Mr. Fox, the report was adopted.

On motion of Mr. Thomas, the bill was considered engrossed for a third reading.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker :

Your committee on commerce, to whom was referred house bill No. 55, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN FOX,
Chairman.

On motion of Mr. Fox, the report was adopted, and the bill was considered engrossed and passed to a third reading.

The speaker announced that he was about to sign senate joint memorial No. 2 and house concurrent resolution No. 15.

The speaker announced that he had signed senate joint memorial No. 2 and house concurrent resolution No. 15.

The committees on counties presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker:

Your committee on counties, to whom was referred house bill No. 3, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JUDSON WEED,
Chairman.

On motion of Mr. Weed, the report was adopted, the bill considered engrossed and passed to third reading.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 22, 1891. }

Mr. Speaker:

Your committee on counties, to whom was referred house bill No. 59, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JUDSON WEED,
Chairman.

On motion of Mr. Weed, the report was adopted, the bill considered engrossed and passed to third reading.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker:

Your committee on counties, to whom was referred house bill No.

72, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

JUDSON WEED,
Chairman.

On motion of Mr. Weed, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker:

Your committee on counties, to whom was referred house bill No. 156, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JUDSON WEED,
Chairman.

On motion of Mr. Weed, the report was adopted and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on counties, to whom was referred house bill No. 214, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JUDSON WEED,
Chairman.

On motion of Mr. Weed, the report was adopted, the bill considered engrossed and passed to third reading.

RERORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker:

Your committee on counties, to whom was referred house bill No.

147, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Strike out all after section 1, and insert the following, to wit:

That section 2335 of chapter 10 of the miscellaneous laws of Oregon, relating to the convening of county courts, be and the same is hereby amended to read as follows:

Sec. 2335. The terms of the county courts of the several counties shall be held as follows:

In the counties of Jackson, Linn, Lane, Benton, Polk, Marion, Washington, Yamhill, Clackamas, Multnomah and Union, on the first Monday of each month.

In the counties of Grant, Baker, Lake, Douglas, Wasco, Crook, Morrow, Gilliam, Malheur, Tillamook, Umatilla and Klamath, on the first Monday in January, March, May, July, September and November.

In the counties of Josephine, Curry, Coos, Clatsop and Wallowa, on the first Monday in January, April, July and September.

In Columbia county, on the first Monday in January, April, July, September and November.

In Sherman county, on the first Monday in January, April, July and October.

In Harney county, on the first Monday in February, April, June, August, October and December.

Section 2. That the county commissioners in each county shall meet for the transaction of county business on the Wednesday next following the first day of each term of court.

Section 3. Inasmuch as the county business of Union county demands more frequent sessions of its county courts, this act shall take effect and be in force from and after its approval by the governor.

JUDSON WEED,
Chairman.

On motion of Mr. Weed, the report and amendments were adopted and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker:

Your committee on counties, to whom was referred house bill No.

96, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JUDSON WEED,
Chairman.

On motion of Mr. Weed, the report was adopted and the bill considered engrossed for a third reading.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on counties, to whom was referred house bill No. 137, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JUDSON WEED,
Chairman.

On motion of Mr. Weed, the report was adopted, the bill considered engrossed and passed to third reading.

The committee on mining presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on mining, to whom was referred senate bill No. 4, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. A. WRIGHT,
Chairman.

On motion of Mr. Wright, the report was adopted.

The committee on public buildings made the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker:

Your committee on public buildings, to whom was referred house

bill No. 11, beg leave to report that they have had the same under consideration, and would respectfully report it back with the recommendation that it do pass.

GEO. W. JOHNSTON,
Chairman.

On motion of Mr. Durham, the report was adopted, the bill considered engrossed and ordered to third reading.

The committee on agriculture presented the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on agriculture, to whom was referred house bill No. 27, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN MINTO,
Chairman.

On motion of Mr. Minto, the report was adopted, the bill considered engrossed and ordered to third reading.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker:

Your committee on agriculture, to whom was referred house bill No. 15, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Section 6 shall be amended to read as follows:

Sec. 6. That for the purpose of defraying the expenses incurred by the said state board of commissioners appointed under this act, there is hereby set apart and appropriated out of any money in the treasury not otherwise appropriated, the sum of fifty thousand dollars; *provided*, one-fifth of this sum may be expended in the year 1891, two-fifths in 1892 and the remaining two-fifths in 1893.

AMENDMENT.

Amend section 11 so as to read as follows:

Sec. 11. It is hereby provided, that no member of the state board of commissioners appointed under the provisions of this act, shall receive any salary for his or her services, but they shall be allowed their actual traveling expenses.

JOHN MINTO,
Chairman.

On motion of Mr. Minto, the report was adopted with the amendments and the bill ordered engrossed.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker:

Your committee on agriculture, to whom was referred house bill No. 107, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN MINTO,
Chairman.

On motion of Mr. Minto, the report was adopted, and the bill considered engrossed and passed to third reading.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker:

Your committee on agriculture, to whom was referred house bill No. 184, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN MINTO,
Chairman.

On motion of Mr. Minto, the report was adopted and the bill ordered engrossed.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker :

Your committee on agriculture, to whom was referred house bill No. 142, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Amend section 7, line 11, so as to read as follows: After the word "value," insert: "The owner of such land shall appoint one disinterested householder, and the trustees of such drainage district one householder, who shall appoint the third householder, and the three so chosen shall arbitrate the amount to be paid for the right of way, and if they cannot agree on a reasonable price."

JOHN MINTO,
Chairman.

Mr. Holmes offered the following amendment to the amendment:

AMENDMENT.

I move to amend the proposed amendment by inserting after the word "way," in last line but one in said proposed amendment, the words, "and the award of such arbitrators shall be final, and the amount of such award shall be first paid before the right of way shall be appropriated."

AMENDMENT.

After the word "price," in last line thereof, insert the words "within ten days from the time the same is submitted to them."

On motion, the report was adopted with the amendments, and the bill was ordered engrossed.

The committee on alcoholic traffic presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker :

Your committee on alcoholic traffic, to whom was referred house bill No. 22, beg leave to report that they have had the same under

consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Section 2 to read as follows:

Sec. 2. Every person obtaining a license to sell spirituous, malt or vinous liquors shall pay into the treasury of the county granting such license the sum of four hundred dollars per annum, or two hundred dollars per annum for a license to sell malt liquors only; *provided*, that no license shall be issued for a less period than six months.

H. W. LAMSON,
Chairman.

On motion of Mr. Lamson, the report and amendment were adopted, the bill considered engrossed and passed to third reading.

On motion, the courtesies of the house were extended to Hon. Geo. H. Williams, ex-United States attorney-general, and Hon. J. W. Maxwell, ex-member of the house from Tillamook county, and they were invited to seats within the bar of the house.

The committee on railways and transportation presented the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker:

Your committee on railroads and transportation, to whom was referred house bill No. 97, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In section 1, line 1 of the printed bill, after the word "within," insert the word "ninety."

AMENDMENT.

In section 2, line 5, after the word "of," insert the words "not exceeding."

AMENDMENT.

In line 6, after the words "state court," insert, "in any district."

AMENDMENT

In section 7, after the figure "7" and before the word "said" in the first line, insert the words: Said commissioners shall have the general supervision of all railroads within the state operated by steam, and shall inquire into any neglect or violation of the laws of this state by any railroad corporation doing business therein, or by the officers, agents or employes thereof; and shall also, from time to time, carefully examine and inspect the condition of each railroad in the state, and of its equipment, and the manner of its conduct and management with reference to the public safety and convenience; and for the purpose of keeping the several railroad companies advised as to the safety of the bridges shall make a semi-annual examination of the same, and report their condition to the said companies, and if any bridge shall be deemed unsafe by the commissioners, they shall notify the railroad company immediately; and it shall be the duty of said railroad company to repair and put in good order within ten days after receiving said notice said bridge, and in default thereof said commissioners are hereby authorized and empowered to stop and prevent said railroad company from running or passing its trains over said bridge while in its unsafe condition.

H. B. MILLER,
Chairman.

Mr. McCracken moved to re-commit the bill to the same committee for further consideration.

Motion lost.

Mr. Welch moved to amend the amendment of section 7 by substituting the word "quarterly" for "semi-annually" in line 7 thereof.

Motion lost.

(On motion of Mr. Miller, the report and amendments were adopted, and the bill ordered to the engrossing committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on railroads and transportation, to whom was

referred house bill No. 185, beg leave to report that they have had the same under consideration, and would respectfully report a substitute to said house bill No. 185 back to the house with the recommendation that it do pass, and we further recommend that said substitute be ordered printed.

H. B. MILLER,
Chairman.

SUBSTITUTE FOR HOUSE BILL NO. 185.

A bill for an act entitled an act to define and punish unlawful discrimination against the products of Oregon in the matter of the transportation of freights in car loads, and the rates to be charged therefor, and to define and establish equal facilities between shippers in the state of Oregon and competition from and to common points in other states.

Be it enacted by the Legislative Assembly of the State of Oregon :

Section 1. That it shall be unlawful for any railroad company or corporation owning or operating any railroad in this state to charge or receive any greater compensation for the transportation of freight in car-load lots of any class per ton per mile between points in the state of Oregon than it charges or receives per ton per mile for freight of the same class shipped from points outside of the limits of this state into or through this state; *provided*, this section shall not apply to shipments in the state of Oregon for distances under sixty miles, or shipments of articles not in competition with those produced or manufactured in this state.

Section 2. Every common carrier subject to the provisions of this act shall, within ninety days from the approval thereof, post in every office on its line within the state of Oregon, a complete schedule of its regular, special or interstate rates of freight on through traffic, showing the charge of such carrier per ton per mile on all articles of freight in car-load lots embraced in its classification in use on said road.

Section 3. Every such common carrier shall use every reasonable means in its power to furnish cars to transport freight offered for shipment within this state, and any such common carrier that fails, refuses or neglects promptly to furnish and supply to any person who offers freight for shipment within this state and who demands the same, cars sufficient to transport such freight offered, shall be deemed to have violated the provisions of this act, if, at the same time when it so fails, refuses or neglects to furnish or supply

any such cars, it is handling, hauling or transporting freights into this state from points outside of the state.

Section 4. Every common carrier subject to the provisions of this act, who shall do, cause to be done or permit to be done any act, matter or thing in this act prohibited or declared to be unlawful, or shall omit to do any act, matter or thing in this act required to be done, such common carrier shall be liable to the person or persons injured thereby for the full amount of damages sustained in consequence of any such violation of the provisions of this act, together with a reasonable attorney's fee, to be fixed by the court in every case of recovery, which attorney's fee shall be taxed and collected as a part of the costs in the case.

Section 5. That any corporation, receiver, general agent, superintendent, general manager, agent, lessee or other person of whatever name known or designated who has the managing, operating or control in whole or in part of any common carrier subject to the provisions of this act, who shall do or cause to be done, permit or allow any matter, act or thing to be done or performed contrary to the provisions of this act, or who shall fail, neglect or refuse to do or perform any act or thing required of such common carrier by the provisions of this act, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be fined in any sum not exceeding the sum of five hundred dollars.

On motion of Mr. Miller, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker:

Your committee on railroads and transportation, to whom was referred house bill No. 125, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

H. B. MILLER,
Chairman.

On motion of Mr. Miller, the report was adopted and the bill considered engrossed and passed to its third reading to-morrow.

On motion of Mr. Barnes, the special committee on wagon road appropriations was granted the privilege of reporting at any time.

On motion of Mr. Blundell, the house adjourned until Friday morning, January 30th, at 10 o'clock.

R. R. HAYS,
Chief clerk.

FRIDAY, JANUARY 30, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 30, 1891. }

The house was called to order at 10 o'clock, Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Blundell, Johnston, McCoy, Montgomery, Tracy and Welch.

Prayer was offered by Presiding Elder Wilson of the M. E. Church.

Mr. Blundell was excused from attendance.

Mr. Miller, on motion, obtained leave to withdraw the substitute for house bill No. 185, and to substitute therefor the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. President:

Your committee on railroads and transportation, to whom was referred house bill No. 185, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments, and further recommend that the bill be printed as amended:

AMENDMENT.

Strike out all after the enacting clause and in lieu thereof substitute the following:

Section 1. That it shall be unlawful for any railroad company or corporation owning or operating any railroad in this state to charge or receive any greater compensation for the transportation of freight, in car load lots, of any class per ton per mile, between points in the state of Oregon, than it charges or receives per ton per mile for freight of the same class shipped from points outside of the limits of this state into or through this state; *provided*, this section shall not apply to shipments within the state of Oregon for distances under sixty miles, or to shipments of articles not in competition with those produced or manufactured in this state.

Section 2. Every common carrier, subject to the provisions of this Act shall, within ninety days from the approval thereof, post in every office on its line within the state of Oregon, a complete schedule of its regular, special or interstate rates of freight on through traffic, showing the charge of such carrier per ton per mile on all articles of freight in car load lots embraced in its classification in use on said road.

Section 3. Every such common carrier shall use every reasonable means in its power to furnish cars to transport freight offered for shipment within this state, and any such common carrier that fails, refuses or neglects promptly to furnish and supply to any person who offers freight for shipment within the state, and who demands the same, cars sufficient to transport such freight offered, shall be deemed to have violated the provisions of this act, if, at the same time when it so fails, refuses or neglects to furnish or supply any such cars, it is handling, hauling or transporting freights into this state from points outside of the state.

Section 4. Every common carrier subject to the provisions of this act, who shall do, cause to be done or permit to be done, any act, matter or thing, in this act prohibited or declared to be unlawful, or shall omit to do any act, matter or thing in this act required to be done, such common carrier shall be liable to the person or persons injured thereby for the full amount of damages sustained in consequence of any such violation of the provisions of this act, together with a reasonable attorney's fee, to be fixed by the court in every case of recovery, which attorney's fee shall be taxed and collected as a part of the costs in the case.

Section 5. That any corporation, receiver, general agent, superintendent, general manager, agent, lessee or other person of whatever name known or designated, who has the managing, operating or control, in whole or in part, of any common carrier subject to the provisions of this act, who shall do or cause to be done, permit or allow any matter, act or thing to be done or performed contrary to the provisions of this act, or who shall fail, neglect or refuse to do or perform any act or thing required of such common carrier by the provisions of this act, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be fined in a sum not exceeding the sum of five hundred dollars.

H. B. MILLER,
Chairman.

On motion, the report of the committee with the amendments to the bill were adopted, and the bill as so amended ordered printed.

The committee on corporations submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
 SALEM, Oregon, }
 January 26, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred house bill No. 28, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
 Chairman.

On motion of Mr. Story, the report was adopted.

The committee composed of the delegation from the first judicial district submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
 SALEM, Oregon, }
 January 27, 1891. }

Mr. Speaker :

Your committee, composed of the delegation from the first judicial district, to whom was referred house bill No. 69, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In section 3 of the bill, as introduced, in the fourth line thereof, strike out all after the word "themselves."

AMENDMENT.

Strike out all of the fifth, sixth and seventh lines, and the words "of mountains," in the eighth line.

AMENDMENT.

In section 4 strike out all of the seventh and eighth lines and all to the word "and" in the ninth line.

The intent of these amendments being to strike out all words in

said bill relating to the residence of the proposed additional judge or the judges of said first judicial district.

J. W. MERRITT,
H. B. MILLER,
J. M. McCALL,
A. SNIDER,
SAMUEL FURRY.

The report with amendments was, on motion of Mr. Miller, adopted, and the bill ordered to the engrossing committee.

The committee consisting of the Lane county delegation submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee, consisting of the Lane county delegation, to whom was referred senate bill No. 17, beg leave to say that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JASPER WILKINS,
E. P. COLEMAN,
A. C. JENNINGS,
Committee.

On motion of Mr. Coleman, the report was adopted.

The committee consisting of the Benton county delegation submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee, consisting of the Benton county delegation, to whom was referred senate bill No. 14, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

C. E. MOOR,
Chairman.

On motion of Mr. Moor of Benton, the report was adopted.

The following report was received from the Multnomah delegation:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee, consisting of the Multnomah delegation, to whom was referred house bill No. 119, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report was adopted.

Mr. Botkin moved to recall house bill No. 44 from the engrossing committee and refer the same to the special committee on medicine and surgery for amendment.

Motion carried.

The following reports from special committees were presented and read:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee appointed to visit the school for the blind have done so, in company with two honorable members of the senate, making a joint committee to investigate and report the condition of that institution, and find everything about the school bearing evidence of watchful care and order.

The pupils, of whom there are fifteen—eight girls and seven boys—seem to be the equals in intelligence of children of the same age who are blessed with perfect sight. Those in the schoolroom presided over by Miss McFadden show such readiness and aptitude in reading, writing, geography and arithmetic that it is hard to realize that these unfortunate children are totally deprived of sight and obliged to read their lessons altogether by finger touch. In music, several of the pupils exhibited excellent skill; in type-writing, small girls prove to be adepts as amateur stenographers, and bid fair to make their living as such by the time early maturity is reached.

Your committee visited the workroom, where several blind pupils were weaving hammocks and fishnets, and find the work bears ample evidence of taste and skill.

The general air and style of the pupils show kind treatment and

homelike feeling, which must go far toward compensating them for being compelled to grope in the dark through this bright and busy world.

The pupils are anxious to learn to support themselves, and are being successfully led in that direction by kind and compassionate teachers.

Too much cannot be said in praise of the manner in which this institution is conducted.

Your committee thinks that there is no more worthy appropriation asked for during this session of the legislature than that asked by the superintendent in her report—\$10,000 for current expenses, and \$2,000 for improvements on the school building, thus giving more room for pupils, the number of whom will probably double before the next biennial session of the legislature.

H. W. LAMSON,
Chairman.

On motion of Mr. Moor of Benton, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

To the Senate and House of Representatives of the Legislative Assembly of the State of Oregon:

GENTLEMEN:—The joint committee appointed under house concurrent resolution No. 3, to investigate the management and condition of the orphans home at Portland, beg leave to report that the duty assigned to the committee has been discharged; and we find that the ladies' relief society, a non-sectarian, private corporation, has erected a fine building, known as the home, on a block of level land in South Portland, donated by Henry Villard.

This home is under the management of Mrs. Woods, the matron; assisted by three nurses, one cook and one laundryman.

There are at the home ninety-seven children, who are supplied with every comfort of home life; nearly all of whom attend the public schools. These children range in age from three to fourteen years, and most of them have lost one or both parents, though few are to be found whose father, tiring of family cares, has deserted a mother who was unable to support her needy children.

The father or mother who is able has in many instances, contributed towards the support of these children.

The society, charges eight dollars per month for such care, and in many instances this has been fully paid by the parents.

There was collected from this source in 1890, \$1,603.55, or an average of \$133.62 per month.

The great majority of the children, however, are supported by the charity of that city, assisted by the appropriation of the state.

The legislature at the last session appropriated \$5,000 to this society. Of this sum, \$1,000 was expended in erecting a hospital, of which it stood much in need. A fine building for this purpose has been erected on the land, supplied with all the modern improvements, which render it available in case any contagious or malignant disease should make its appearance at the home. We are pleased to note, however, that the hospital has not a single occupant, and that the health of these children are excellent.

Each child is furnished with good substantial clothing, and presented a neat and tidy appearance.

The food is wholesome and abundant, and of that character demanded by a healthy child. The electric-lights and telephone are furnished by the respective corporations engaged in furnishing such necessities, free of cost to the society.

Able physicians minister to the ills of the children when necessary, gratuitously.

Ladies of the city, representatives of every church and organization, vie with each other in making contributions and securing donations for this worthy object, while a number of gentlemen aid them with their time and means.

Our visit was made at a time we were not expected, and the only regret expressed was that the children had not on their Sunday clothes.

In a critical examination of the home, from the basement to the attic, this committee could not find dust enough in which the name of the institution could be written.

That the state should assist in this noble work, none will deny. The donation, however, should be such as to encourage further contributions from the charitable. That the state should wholly maintain a private institution of this character, none will claim. In view of these facts, your committee would recommend that an appropriation of four thousand dollars be made to help them in part in the noble work in which they are engaged.

Respectfully submitted.

F. A. MOORE,
C. B. CROSNO,
WM. ARMSTRONG,
J. D. GARFIELD,
THOS. B. LITTIG,
Committee.

On motion of Mr. Killian, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

To the Senate and House of Representatives of the Legislative Assembly of the State of Oregon:

GENTLEMEN:—The joint committee, appointed under house concurrent resolution No. 3, to investigate the management of the home of the Oregon children's aid society at Salem, Oregon, beg leave to report that the duty assigned to the committee has been discharged, and we find—

That the Oregon children's aid society is a non-sectarian, private corporation, under the management of a board of trustees, composed of charitable ladies of the city of Salem.

That the society owns fifteen acres of choice land near the hospital for the insane.

This land is capable of and does produce the necessary vegetables for the use of the home, which has been cultivated for them gratuitously by the management of the asylum.

Upon this land a fine building has been erected, and the lower rooms have been finished, but little work has been done towards finishing the second story and attic.

The society has a good barn on the land, and keep a cow and horse.

We find the home in charge of Mrs. Winans as matron, assisted by Mrs. Strayer as cook and nurse.

There are at the home sixteen children, ranging from three to fifteen years, nearly all of whom attend the public schools of the city.

A part of the expense has been kept up by parents of children, and there has been paid from this and all other sources the sum of \$157.45 during the last year, an average of \$13.12 per month. The remainder of the expense has been kept up at the cost of the state.

We find the children well cared for, provided with all that makes life pleasant and happy in their surroundings.

We think it proper that inasmuch as the state is expected to contribute to these worthy objects, it should assume the control and management of such institutions instead of making appropriations to private corporations.

We deem it advisable for the state to procure such a home for the orphans of the state who have not the means of support, and for that purpose a general law should be passed authorizing the state to

condemn such land, tenements and other property as may be found necessary for any public building to be erected or for beautifying any grounds now occupied by the state.

That we deem it expedient for the state to assist in the work, and for that purpose recommend the appropriation of the sum of three thousand dollars to aid them in part till the state acquires a home of its own.

Respectfully submitted,

F. A. MOORE,
C. B. CROSNO,
WM. ARMSTRONG,
J. D. GARFIELD,
THOS. B. LITTIG,
Committee.

On motion of Mr. Armstrong, the report was adopted.

The committee on engrossed bills submitted the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bill No. 74, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bill No. 36, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

By unanimous consent, the following report was presented by the committee on assessment and taxation:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on assessment and taxation, to whom was referred house bills Nos. 7, 50 and 186, beg leave to report that they have had the same under consideration, and would respectfully report the following back to the house as a substitute for the above-named bills, with the recommendation that it do pass, to wit, house bill No. 248, introduced by Mr. McCoy.

E. O. McCOY,
Chairman.

Mr. McCoy introduced house bill No. 248:

“A bill for an act to provide for the assessment and collection of taxes, and to repeal an act to amend an act entitled an act to amend an act entitled an act relating to assessors, passed January 26, 1854, and an act amendatory thereof, passed January 26, 1855, approved October 24, 1864, and an act amendatory thereof, approved December 19, 1865, approved October 29, 1864; also an act to amend section 2758 of title 3 of chapter 17 of the annotated laws of Oregon, 1887; also an act to amend sections 2729 and 2733, title 1, chapter 17, of the annotated laws of Oregon, 1887, relating to property and polls subject to assessment and taxation; also an act to amend section 2364, title 1, chapter 11, of the annotated laws of Oregon of 1887; also an act to amend section 2752, title 3, chapter 17, of the annotated laws of Oregon of 1887, relating to the assessment of property and the levy and collection of taxes; also section 6 of an act to amend sections 2, 3, 4, 5, 6, 7 and 8, and to repeal section 10 of an act approved October 29, 1874, entitled an act to repeal sections 2 and 4 of an act approved October 23, 1872, entitled an act to amend chapter 18 of the general laws concerning fees of officers; and to amend an act entitled an act to amend chapter 18 of the general laws concerning fees of officers, approved October 24, 1870; and section 12 of an act approved October 24, 1864, entitled an act to prescribe the fees of certain officers and persons; and section 4 of an act approved January 12, 1859, entitled an act to amend an act entitled an act to regulate the fees of certain officers and other persons; and section 1 of an act approved October 12, 1864, entitled an act to fix the legal distances from the several county seats in this state to the penitentiary at the city of Portland, and regulate the fees of sheriffs for conveying convicts to the penitentiary; and all of an act approved October 29, 1870, entitled an act to regulate the fees of

officers in certain counties; and all of an act approved October 28, 1872, entitled an act to amend an act entitled an act to regulate fees of certain officers in certain counties; and to amend section 5 of an act approved October 21, 1864, entitled an act to amend an act entitled an act to provide for the collection of taxes; and to repeal an act approved October 19, 1860, and to prescribe the fees of clerks and sheriffs, approved October 26, 1882; also an act to define the terms "land" and "real property" for the purposes of taxation, and to provide where the same shall be assessed and taxed, and to declare what instruments whereby "land" and "real property" is made security for the payment of a debt shall be void, and to repeal section 2730, chapter 17, of the annotated laws of Oregon of 1887; also an act to amend section 10 of an act entitled an act to define the terms "land" and "real property" for the purpose of taxation, and to provide where the same shall be assessed and taxed, and to declare what instruments whereby "land" or "real property" is made security for the payment of a debt shall be void, and repeal section 2730 title 1, chapter 17, of the annotated laws of Oregon of 1887; also an act exempting firemen from certain duties and taxes, approved February 20, 1885; also an act to prescribe manner for receipting for taxes, and to amend section 2796, title 6, chapter 17, of the annotated laws of Oregon of 1887; also an act to amend section 4085, title 1, chapter 76, of annotated laws of Oregon of 1887; also an act empowering the governor, secretary of state and state treasurer to compute and declare the amount of the state levy of taxes, and to apportion the same among the several counties of the state; and to repeal all acts and parts of acts in conflict therewith, approved February 26, 1885; also an act providing for the assessment and collection of taxes upon the rolling stock of railroad companies, and to repeal section 2744, title 2, chapter 17, of the annotated laws of Oregon of 1887; also an act passed at the extra session in 1885, approved November 25, 1885, amending section 6, of an act relating to the fees of certain officers and persons, and printed in the laws for the special session for that year on page 23 of said book; also an act to amend section 4 of an act entitled an act empowering the governor, secretary of state and state treasurer to compute and declare the amount of the state levy of taxes, and to apportion the same among the several counties of the state, and to repeal all acts and parts of acts in conflict therewith, approved February 26, 1885; to provide for the levy of county taxes and to render valid county levy for the fiscal year 1885; and to repeal all other acts or parts of acts in conflict or inconsistent with this act."

Mr. McCoy moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—Mr. Furry—1.

Absent—Messrs. Blundell, Merritt, and Montgomery—3.

So the rules were suspended and the bill read the first time by title, and passed to a second reading without further question.

Mr. McCoy moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Blundell, Merritt, Montgomery and Reed—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. McCoy, the bill was referred to a committee of the whole house, and made special order for next Tuesday at 2 o'clock P. M.

The committee on assessment and taxation presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 30, 1891. }

Mr. Speaker:

Your committee on assessment and taxation, to whom was referred house bill No. 14, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation with the following amendments:

AMENDMENT.

After section 3 of original bill insert as a new section the following section 4:

Section 4. That any person or persons violating the provisions of this act, shall be punished by a fine of not less than fifty dollars or by imprisonment for one month in county jail, or more than two hundred dollars or imprisonment in county jail for not more than six months, or by both such fine and imprisonment in the discretion of the court.

AMENDMENT.

Make section 4 of original bill section 5.

E. O. McCOY,
Chairman.

On motion of Mr. Barnes, the report and amendments were adopted.

Mr. Paquet moved to reconsider the vote by which senate bill No. 6 was referred to the committee on railways and transportation.

Mr. Jennings moved to lay Mr. Paquet's motion on the table.

Carried.

Mr. Fox, by request, obtained leave of absence for himself and fellow members of the special joint committee to confer with a like joint committee from the state of Washington, the leave of absence to extend to Monday afternoon, February 2.

Mr. Miller presented a petition from numerous citizens of Linn county praying for the creation of a new county, to be named Santiam, from a portion of the present county of Linn.

On motion of Mr. Miller, the petition was referred to the committee on counties, with leave to report at any time by bill or otherwise.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. McCracken introduced house bill No. 249:

"A bill for an act to protect wagon roads."

The bill was read the first time and passed to its second reading without question.

Mr. Moor of Benton introduced house bill No. 250:

"A bill for an act to regulate the practice of pharmacy and the sale of poisons in the state of Oregon."

Mr. Moor of Benton moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Botkin, Butler, Coleman, Crook,

Durham, Dustin, Fox, Furry, Gambia, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Barrett, Blundell, Jennings, Merritt, Montgomery and Welch—6.

So the rules were suspended, the bill read the first time by title; and passed to a second reading without further question.

Mr. Coleman introduced house bill No. 251.

“A bill for an act to repeal an act entitled an act requiring county clerks, sheriffs and district attorneys to make semi-annual returns to the secretary of state of all fees and emoluments earned by them and of the expenses of conducting their offices, approved October 25, 1880.”

The bill was read the first time and passed to a second reading without a question.

Mr. Coleman introduced house bill No. 252:

“A bill for an act to regulate the transportation of freight by railroad corporations within the state of Oregon.”

Mr. Durham moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambia, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Blundell, Crook, Jennings, Montgomery and Welch—5.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

Mr. Coleman moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Blundell, Crook, Jennings, Montgomery, Mulkey and Welch—6.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Coleman, the bill was referred to the committee on railways and transportation.

Mr. Durham introduced house bill No. 253:

"A bill for an act entitled an act to amend section 499 of the laws of Oregon, as compiled and annotated by W. Lair Hill."

The bill was read the first time and passed to a second reading without question.

Mr. Manning introduced house bill No. 254:

"A bill for an act to locate and construct a wagon road from a point in Yamhill county to a point in Tillamook county, Oregon, and to appropriate money therefor."

Mr. Manning moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Blundell, Crook, Jennings, Montgomery and Welch—5.

So the rules were suspended, the bill read the first time by title, and passed to second reading without further question.

Mr. Manning moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Blundell, Crook, Jennings, Montgomery and Mulkey—5.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Manning, the bill was referred to the special committee on wagon-road appropriations.

Mr. Holmes introduced house bill No. 255:

“A bill for an act to incorporate the town of Hubbard, Marion county, state of Oregon.”

Mr. Holmes moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Blundell, Montgomery, Mulkey and Welch—4.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. Holmes moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas,

Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Blundell, Montgomery, Mulkey and Welch—4.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Holmes, the bill was referred to the committee on corporations.

Mr. Holmes introduced house bill No. 256:

“A bill for an act to more fully define the legal status of escheated moneys and for the repayment out of such funds of claims ordered by a court.”

The bill was read the first time and passed to its second reading without question.

Mr. Welch introduced house bill No. 257:

“A bill for an act to amend an act entitled an act to amend title 66 of Hill’s annotated laws of Oregon, relating to pilotage at the Columbia river bar and on the Columbia and Willamette rivers.”

The bill was read the first time and passed to a second reading without question.

Mr. Shedd introduced house bill No. 258:

“An act to repeal an act entitled an act to amend section 2755 of title 3 of chapter 17 of the laws of Oregon as compiled and annotated by William Lair Hill, approved February 25, 1889, and to amend section 2755 of title 3 of charter 17 of the laws of Oregon, as compiled and annotated by William Lair Hill.”

The bill was read the first time and passed to its second reading without question.

Mr. Butler introduced house bill No. 259:

“A bill for an act for the appointment of regents of the state normal school at Monmouth, and to prescribe their duties.”

Mr. Butler moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Blundell, Montgomery, Morey, Mulkey and Welch—5.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

Mr. Butler moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Blundell, Montgomery Morey, Mulkey and Welch—5.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Butler, the bill was referred to the committee on education, with leave to report at any time.

Mr. Tracy introduced house bill No. 260:

“A bill for the protection of enclosed property.”

The bill was read the first time and passed to its second reading without question.

Mr. Baker, by request, introduced house bill No. 261:

“A bill for an act to amend an act to amend sections 3564, 3567, 3568 and 3580 of chapter 50, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, approved February 25, 1889, relating to insurance companies.”

Mr. Baker moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Sheed, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Blundell, Montgomery, Morey, Mulkey and Welch—5.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

Mr. Stephenson introduced house bill No. 262:

"A bill for an act to provide an additional circuit judge for the seventh judicial district."

Mr. Stephenson moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, Wright, and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Blundell, Fox, Hall, Montgomery, Morey, Mulkey, Tracy and Welch—8.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

Mr. Stephenson moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, Wright, and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Blundell, Fox, Hall, Montgomery, Morey, Mulkey, Tracy and Welch—8.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Stephenson, the bill was referred to a special committee consisting of the members from the seventh judicial district.

Mr. Miller introduced house bill No. 263:

"A bill for an act to provide for the exhibition of the productions

and the dissemination of knowledge concerning the resources of the state of Oregon at the world's Columbian exposition, to be held at Chicago, Illinois, A. D. 1893, and to appropriate money therefor."

Mr. Miller moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, Wright, and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Blundell, Fox, Hall, Montgomery, Morey, Mulkey, Tracy and Welch—8.

So the rules were suspended, the bill read the first time by title, and passed to second reading without further question.

Mr. Miller moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, Wright, and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Blundell, Fox, Hall, Montgomery, Morey, Mulkey, Tracy and Welch—8.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Miller, the bill was referred to the committee on ways and means, and ordered printed.

Mr. Hall introduced house bill No. 264:

"A bill for an act amending section 1859 of chapter 7 of the criminal code of Oregon, as compiled and annotated by W. Lair Hill."

The bill was read the first time and passed to a second reading without question.

Mr. Minto introduced house bill No. 265:

"A bill for an act to repeal section 1844, on page 939 of first Hill's annotated laws of Oregon."

The bill was read the first time and passed to a second reading without question.

Mr. Minto moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, Wright, and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Blundell, Fox, Hall, Montgomery, Morey, Mulkey, Tracy and Welch—8.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Minto, the bill was referred to the committee on elections, and ordered printed.

Mr. Barrett introduced house bill No. 266:

"A bill for an act amendatory to an act entitled an act to amend an act to incorporate the town of Hillsboro, in Washington county, Oregon."

The bill was read the first time and passed to a second reading.

Mr. Barrett moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, Wright, and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Blundell, Fox, Hall, Montgomery, Mulkey, Tracy and Welch—7.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Barrett, the bill was referred to the committee on corporations.

Mr. Barrett introduced house bill No. 267:

"A bill for an act to amend and act to incorporate the town of Hillsboro, Oregon."

The bill was read the first time and passed to its second reading without question.

Mr. Barrett moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambia, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, Wright, and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Blundell, Fox, Hall, Montgomery, Morey, Mulkey, Tracy and Welch—8.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Barrett, the bill was referred to the committee on corporations.

Mr. Wright, by request, introduced house bill No. 268:

"A bill for an act to amend an act entitled an act authorizing the appointment of official reporters for the circuit courts, and prescribing their duties and fixing their compensation, approved February 25, 1889."

The bill was read the first time and passed to a second reading without question.

On motion of Mr. Hansard, the house adjourned.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 30, 1891.

The house was called to order at 2 o'clock P. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Blundell, Fox, McCoy, Montgomery, Morey, Mulkey, Reed, Tracy and Welch.

Messrs. Blundell, Mulkey and Tracy were excused on account of sickness.

Mr. Shedd introduced house bill No. 269:

"A bill for an act to amend section 1510 of Hill's annotated laws of Oregon."

The bill was read the first time and passed to a second reading without question.

The special committee, consisting of the Multnomah delegation, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 30, 1891. }

Mr. Speaker:

Your special committee, the representatives from Multnomah county, to whom was referred house bill No. 20, beg leave to say that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that the substitute herewith be adopted in lieu thereof.

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report was adopted.

SUBSTITUTE FOR HOUSE BILL NO. 20.

Mr. Thomas introduced house bill No. 270:

"A bill for an act entitled an act to amend sections 37 and 122, and to repeal section 123 of an act entitled an act to incorporate the city of Portland, approved October 24, 1882, as amended by an act approved February 25, 1889, entitled an act to amend sections 13, 36, 37, 53, 56, 57, 69, 82, 83, 85, 86, 95, 102, 112, 113, 122, 123, 129, 149, 152 and 156 of an act entitled an act to incorporate the city of Portland, approved October 24, 1882, as amended by an act entitled an act to amend sections 1, 37, 95 and 159 of an act entitled an act to incorporate the city of Portland, approved October 24, 1882, and to repeal section 155 of said act and all acts and parts of acts in conflict therewith, approved February 25, 1885; and to amend section 73 of an act to incorporate the city of Portland, as amended by an act entitled an act to amend an act entitled an act to incorporate the city of Portland, approved October 24, 1882; and to amend section 1 of an act entitled an act to incorporate the city of Portland,

approved October 24, 1882; and to repeal section 155 of said act, and all acts and parts of acts in conflict therewith, approved February 25, 1885, approved November 25, 1885; and to amend section 72 of an act to incorporate the city of Portland, as amended by an act entitled an act to amend an act entitled an act to incorporate the city of Portland, approved October 24, 1882, approved November 21, 1885, and section 11 of an act entitled an act to establish a paid fire department for the city of Portland, approved October 9, 1882."

Mr. Thomas moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Blundell, Fox, Jennings, Montgomery, Morey, Mulkey, Reed, Tracy, Welch and Wright—10.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. Thomas moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Blundell, Fox, Hartman, Jennings, Montgomery, Morey, Mulkey, Reed, Tracy, Welch and Wright—11.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Thomas, house bill No. 270 was ordered printed.

On motion of Mr. Thomas, the bill was considered engrossed and passed to third reading.

Mr. Minto introduced house bill No. 271:

"A bill for an act to enable the state to purchase and own the state fair grounds at Salem."

The bill was read the first time and passed to its second reading without question.

Mr. Minto moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, and Mr. Speaker—48.

Nays—None.

Absent—Messrs. Blundell, Botkin, Fox, Hartman, Jennings, Montgomery, Morey, Mulkey, Reed, Tracy, Welch and Wright—12.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Minto, the bill was ordered printed and was referred to the committee on agriculture.

SECOND READING OF HOUSE BILLS.

House bill No. 35 coming on for second reading, Mr. McCoy moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Blundell, Botkin, Fox, Hartman, Montgomery, Morey, Mulkey, Reed, Tracy, Welch and Wright—11.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Dustin, the bill was referred to the committee on corporations.

House bill No. 118 coming on for second reading, Mr. McCracken moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Blundell, Botkin, Fox, Hartman, Montgomery, Morey, Mulkey, Reed, Tracy, Welch and Wright—11.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Meussdorffer, the bill was referred to a committee consisting of the Multnomah delegation, with leave to report at any time.

House bill No. 178 coming on for a second reading, Mr. Moor of Benton, moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Blundell, Botkin, Fox, Hartman, Montgomery, Morey, Mulkey, Reed, Tracy, Welch and Wright—11.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Moor of Benton, the bill was referred to a committee consisting of the Benton county delegation, and that the said bill be printed.

House bill No. 222 coming on for second reading, Mr. Coleman moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Blundell, Botkin, Fox, Hartman, Montgomery, Morey, Mulkey, Reed, Tracy, Welch and Wright—11.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Coleman, the bill was referred to the committee on federal relations.

House bill No. 223 coming on for second reading, Mr. Barnes moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Blundell, Botkin, Fox, Hartman, Montgomery, Morey, Mulkey, Reed, Tracy, Welch and Wright—11.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Barnes, the bill was referred to the committee on ———, and considered engrossed.

House bill No. 224 coming on for second reading, was read a second time.

On motion of Mr. Hall, the bill was referred to the committee on fishing.

House bill No. 227 coming on for second reading, Mr. McCracken moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Blundell, Botkin, Fox, Hartman, Montgomery, Morey, Mulkey, Reed, Tracy, Welch and Wright—11.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. McCracken, the bill was referred to a committee consisting of the Multnomah county delegation.

The special committee on wagon road appropriations submitted the following reports:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 29, 1891. }

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 43, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments, making the said bill read as follows:

Whereas the counties of Lake and Klamath are commercially separated from the western and northern portions of this state through the want of transportation facilities to connect them therewith, and are united commercially with the neighboring state of California in consequence of transportation facilities; and

Whereas on account of the rapid development of the said counties and the consequent increase in the quantity, variety and value of the imports to, and the exports from, said counties, it is highly desirable that their trade should be secured to the state of Oregon; and

Whereas a good and practicable route exists over which a wagon road may be constructed between the said counties and the county

of Jackson, having an easy and even grade, and which can be used for travel and transportation during both the summer and the winter months, and which will connect the said counties with several points upon the railroad in the state of Oregon by a better and shorter route than now connects them with any railroad point in the state of California, and which will operate to divert their trade from any other state and secure it to the state of Oregon; and

Whereas by reason of the large area and sparsely settled condition of the counties of Lake and Klamath, and the disastrous floods of the past season in the county of Jackson, causing the expenditure by the county of more than twenty-five thousand dollars in repairing and rebuilding bridges, state aid is necessary for the construction of said road; therefore,

Be it enacted by the Legislative Assembly of the State of Oregon:

Section 1. That there be and is hereby appropriated out of any fund now in the treasury of the state of Oregon not otherwise appropriated, the sum of five thousand dollars for the purpose of aiding the county court of Jackson county in constructing a wagon road from Eagle Point, in Jackson county, Oregon, to a point on the boundary line between Klamath and Jackson counties, on the most practicable route for a wagon road between Eagle Point, Jackson county, Oregon, and Fort Klamath, Klamath county, Oregon.

Section 2. That the county court of Jackson county is authorized and required to superintend the construction and repairs of said road in Jackson county, and when completed and ready for use, as in this act provided, the county court of said county shall render a verified statement, signed by the judge and under the seal of said court, of the total amount expended in construction and repairs of said road, and that the same has been built and repaired in accordance with the provisions of this act. The said statement shall be attested by the oath of the superintendent of construction and repairs, to the effect that he has passed over and examined the said road its entire length in Jackson county between said points, and that the same is fit for public travel, and that it has been built in accordance with the provisions of this act. The secretary of state, upon presentation to him of said statement, shall draw his warrant on the state treasurer for the sum set forth in said statement not exceeding the sum of five thousand dollars.

Section 3. And be it further enacted, that the sum of one thousand (\$1000) dollars is hereby appropriated out of any funds in the treasury of the state of Oregon not otherwise appropriated, to aid the county court of Klamath county to construct and repair a wagon road in said county, from a point on the boundary line between the county

of Jackson and the county of Klamath, at the terminus of the road proposed by sections 1 and 2 of this act, to Fort Klamath in said county.

Section 4. That the county court of the said Klamath county is authorized and required to superintend the construction and repairs of said road within said county, and that when the same shall be completed and ready for public use, as provided in sections 3 and 4 of this act, the county court of said Klamath county shall render a verified statement, signed by the judge and under the seal of said court, of the total amount expended in constructing and repairing said road, and that the same has been built and repaired in accordance with the provisions of this act. The said statement shall be attested by the oath of the superintendent of construction, to the effect that he has passed over and examined the said road, and that it is fit for public travel its entire length within said county between the points named, as provided for in this act. The secretary of state of the state of Oregon, upon presentation of said statement so attested, shall draw his warrant on the state treasurer for the sum expended by said county court in the construction and repairs of said road; *provided*, the said amount does not exceed the sum of one thousand dollars; and should the amount exceed said sum, he shall draw his warrant for the full amount authorized by section 3 of this act.

Section 5. Inasmuch as it is necessary that the work on the road provided for in this act should be begun as soon as possible, this act shall take effect immediately upon its approval by the governor.

W. SINCLAIR,
A. H. CROOK,
Chairmen.

On motion of Mr. Crook, the report and amendments were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your joint committee on wagon roads, to whom was referred house bill No. 124, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Section 1, second line, strike out the words "five thousand" in printed bill, and insert the words "two thousand five hundred."

AMENDMENT.

Section 2, eighth line, strike out the words "five thousand" and insert the words "two thousand five hundred."

W. SINCLAIR,
A. H. CROOK,
Chairmen.

On motion of Mr. Crook, the report and amendments were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 47, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Section 1, second line of printed bill, strike out the word "twelve" and insert the word "seven."

AMENDMENT.

Section 3, first line, strike out the word "seven" and insert the word "five," and on fourth line the word "seven" and insert "five."

AMENDMENT.

Section 4, first line, strike out the words "three thousand" and insert "one thousand five hundred"; also, on line 5, strike out the word "three" and insert "one thousand five hundred."

AMENDMENT.

Section 5, lines 1 and 5, strike out the word "two" and insert "one."

W. SINCLAIR,
A. H. CROOK,
Chairmen.

On motion of Mr. Crook, the report and amendments were adopted.

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 29, 1891. }

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 39, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Section 1, on line 2, strike out the word "ten" in printed bill, and insert the word "four."

AMENDMENT.

Section 3, on lines 9 and 10, strike out the words "ten" in printed bill, and insert the words "four."

W. SINCLAIR,
A. H. CROOK,
Chairmen.

On motion of Mr. Thomas, the report and amendments were adopted.

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 26, 1891. }

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 117, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

Your committee find that Curry county expended in building the road and bridge from Port Orford to Chetco, a distance of sixty miles, the sum in round numbers of \$20,000 over and above the appropriation of \$14,000 granted by the last legislative assembly; that the work had to be done before the appropriation then granted could be drawn. That, although Curry county is one of the oldest counties in the state, the total assessed value of property is \$486,290.

That the amount appropriated at the last session of the legisla-

ture was so greatly inadequate to the amount of work to be done that the county is greatly burdened.

That since the road has been built almost all the state lands in Curry county have been sold so far as surveyed, and will be taken as soon as surveyed.

That the road as built requires more turn-outs on the road, which the county is unable to make, and that when the lands are surveyed the state will be fully reimbursed by moneys received from the sale of lands for all appropriations made and asked for.

W. SINCLAIR,
A. H. CROOK,
Chairmen.

On motion of Mr. Crook, the report and amendments were adopted.

On motion of Mr. Crook, the bill was considered engrossed and passed to third reading.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 98, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Section 1, line 2, strike out the word "ten" and insert "eight;" also in line 3 strike out "aiding the county court of Curry county in constructing a wagon road," in printed bill, and insert in place of same "building a state road."

AMENDMENT

Section 2, line 2, and after the third word insert "that part of," in printed bill; also in line 9 strike out the word "ten" in printed bill and insert "eight."

AMENDMENT.

Section 3, line 1, strike out the word "ten" and insert "eight;" also in lines 2 and 3 strike out the words "aid the county court of Josephine county in the construction of a wagon road in said Josephine county," in printed bill, and insert in place of same "building a state road."

AMENDMENT.

Section 4, line 11, strike out the word "ten" in printed bill and insert "eight."

W. SINCLAIR,
A. H. CROOK,
Chairmen.

On motion of Mr. Miller, the report and amendments were adopted.

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 29, 1891. }

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 26, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Section 1, second line, strike out the word "ten" in printed bill and insert "five;" also in section 2, in lines 10 and 12, strike out the word "ten" in printed bill, and insert the word "five."

W. SINCLAIR,
A. H. CROOK,
Chairmen.

On motion, the report and amendments were adopted.

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 29, 1891. }

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 175, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Section 1, second line of printed bill, strike out the word "ten" and insert in place the word "three."

AMENDMENT.

Section 2, line 4, strike out the word "five" and insert "three;" in line 6 strike out figures "\$600" and insert "\$300;" in same line strike out the word "six" and insert "three."

AMENDMENT.

Section 8, line 7, strike out the word "ten" (printed "two") and insert the word "three."

W. SINCLAIR,
A. H. CROOK,
Chairmen.

On motion, the report and amendments were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 141, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Section 1, in second line of printed bill, strike out the word "ten" and insert the word "five"; also in section 2, fourth line of printed bill, strike out the word "ten" and insert the word "five."

W. SINCLAIR,
A. H. CROOK,
Chairmen.

On motion, the report and amendments were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 68, beg leave to report that they have had

the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Section 1, in line 2, strike out the words "five thousand," in printed bill, and insert the words "four thousand."

W. SINCLAIR,
A. H. CROOK,
Chairmen.

On motion, the report and amendments were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker :

Your joint committee on wagon road appropriations, to whom was referred house bill No. 62, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Section 1, in second line of printed bill, strike out the words "five thousand" and insert the words "two thousand five hundred."

AMENDMENT.

Section 2, in thirteenth line, strike out the words "five thousand" and insert the words "two thousand five hundred."

AMENDMENT.

Section 3, first line, strike out the words "five thousand" and insert the words "two thousand five hundred."

AMENDMENT.

Section 4, twelfth line, strike out the words "five thousand" and insert the words "two thousand five hundred."

W. SINCLAIR,
A. H. CROOK,
Chairmen.

On motion of Mr. Crook, the report and amendments were adopted.

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 29, 1891. }

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 217, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Section —, line 2, strike out the words "five thousand," in printed bill, and insert the words "two thousand five hundred."

W. SINCLAIR,
A. H. CROOK,
Chairmen.

On motion of Mr. Crook, the report and amendments were adopted.

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 29, 1891. }

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 134, beg leave to say that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

"Section 1, line 2, strike out the printed words in bill "three thousand" and insert the words "one thousand five hundred."

AMENDMENT.

Section 4, fifth line, strike out the words "three thousand" and insert the words "one thousand five hundred."

W. SINCLAIR,
A. H. CROOK,
Chairmen.

On motion of Mr. Crook, the report, with amendments, were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 92, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Amend the title so as to read: "A bill for an act entitled an act to aid the county courts of Baker and Union counties to construct a wagon road from a point on the old immigrant road, near the Virtue mine, in Baker county, to a point on Snake river where Pine Lake creek empties into it, and to appropriate money therefor."

AMENDMENT.

Strike out all after the enacting clause and insert the following:

Section 1. That out of the funds now in the treasury of the state of Oregon not otherwise appropriated, there be and is hereby appropriated the sum of four thousand five hundred dollars for the purpose of aiding the county court of Baker county to construct a road from a point where the road from the Virtue mine crosses the old immigrant road in Baker county; thence by the most practicable route easterly to Powder river in Baker county.

Section 2. That the county court of Baker county is authorized and required to superintend the construction of said road within said county, and when the same is ready for use they shall render an account, duly verified by the certificate of the county clerk and the affidavit of the person appointed to superintend the construction of said road, of the total expenditures in constructing said road, and that said road has been built in accordance with the provisions of this act, to the secretary of state of the state of Oregon, who shall, upon presentation thereof, draw his warrant on the state treasury in favor of the county of Baker for the sum expended in the construction of said road not exceeding the sum of four thousand five hundred dollars.

Section 3. And be it further enacted, that the sum of four thousand five hundred dollars is hereby appropriated to the county court of Union county to construct a wagon road in Union county, beginning at Powder river, in Union county, where the road referred to in the first section of this act will cross Powder river; thence easterly by the most practicable route through Eagle and Pine valleys to a point in Union county on or near where Pine Lake creek empties into Snake river.

Section 4. That the county court of Union county is hereby authorized to superintend the construction of the proposed road in Union county, and when said road is completed the county court of Union county shall render an account, duly verified by the certificate of the clerk and the affidavit of the person appointed to superintend the construction of said road, of the total expenditures of said county in the construction of said road to the secretary of state, who shall draw his warrant on the state treasurer for the amount expended on said road not exceeding the sum of four thousand five hundred dollars.

W. SINCLAIR,
A. H. CROOK,
Chairmen.

On motion of Mr. Crook, the report and amendments were adopted.

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 29, 1891.

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 60, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Section 1, on line 2, strike out the words "twelve thousand," in printed bill, and insert the words "seven thousand five hundred."

AMENDMENT.

Section 2, on lines 7 and 8, strike out the words "twelve thousand," in printed bill, and insert the words "seven thousand five hundred."

W. SINCLAIR,
A. H. CROOK,
Chairmen.

On motion of Mr. Crook, the report and amendments were adopted.

House bill No. 228 coming on for second reading, Mr. McCracken moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Blundell, Botkin, Fox, Montgomery, Morey, Mulkey, Reed, Tracy, Welch and Wright—10.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. McAlister, the bill was referred to the committee on judiciary.

House bill No. 229 coming on for second reading, was read a second time.

On motion of Mr. McAlister, the bill was referred to the committee on judiciary.

House bill No. 232 coming on for a second reading, was read a second time.

On motion of Mr. Wilkins, the bill was referred to the committee on agriculture.

House bill No. 234 coming on for a second reading, was read a second time.

On motion of Mr. Thomas, the bill was referred to the committee on judiciary.

The committee on engrossed bills presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 30, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house

bills Nos. 184, 72, 156 and 147, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

House bill No. 212 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thomas, Thompson, Weed, Wilkins, and Mr. Speaker—47.

Nays—Mr. Minto—1.

Absent—Messrs. Blundell, Botkin, Fox, Montgomery, Morey, Mulkey, Reed, Stewart, Story, Tracy, Welch and Wright—12.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 160 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, and Mr. Speaker—48.

Nays—None.

Absent—Messrs. Blundell, Botkin, Fox, Hardy, Littig, Montgomery, Morey, Mulkey, Reed, Tracy, Welch and Wright—12.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The courtesies of the house were, on motion of Mr. Coleman, extended to ex-Governor Whiteaker of Lane county and Hon. H. C. Humphrey, and the gentlemen were invited to seats within the bar of the house.

House bill No. 116 was read the third time.

On motion of Mr. Barnes, the bill was recommitted to the committee on education for amendment, with leave to report at any time.

On motion of Mr. Manning, Hon. J. W. Cook of Yamhill county was invited to a seat within the bar of the house.

House bill No. 99 was read the third time.

Mr. Holmes asked, and was, on motion, granted an excuse from voting on the passage of the bill.

On motion, house bill No. 99 was made special order for Tuesday, February 3, at 3 o'clock P. M.

The committee on engrossed bills presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 30, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bills Nos. 90, 41, 4, 206, 82, 25, 70, 5, 58, 132, 9, 57, 130, 153, 110, 18, 51, 168, 123, 139, 144, 145 and 31, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

House bill No. 83 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, and Mr. Speaker—48.

Nays—None.

Absent—Messrs. Armstrong, Blundell, Botkin, Fox, Merritt, Montgomery, Morey, Mulkey, Reed, Tracy, Welch and Wright—12.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 45 was read the third time.

Mr. Holmes moved to refer the bill back to the committee on roads and highways for amendment.

Motion lost.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Johnston, Killian, Littig, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Richey, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, and Mr. Speaker—37.

Nays—Messrs. Hartman, Jennings, Lamson, Leeper, Manning, McAlister, Minto, Myer, Paquet, Shedd, Snider, Starr and Wilkins—13.

Absent—Messrs. Blundell, Botkin, Fox, Montgomery, Morey, Mulkey, Reed, Tracy, Welch, and Wright—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 8 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Butler, Crook, Durham, Furry, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, and Mr. Speaker—47.

Nays—Mr. Coleman—1.

Absent—Messrs. Blundell, Botkin, Fox, Montgomery, Morey, Mulkey, Reed, Tracy, Welch and Wright—10.

Not voting—Messrs. Dustin and Gambee—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Miller, it was ordered that when the house adjourn it adjourn until next Monday at 2 o'clock P. M.

On motion of Mr. Moor of Benton, the house adjourned until Monday at 2 o'clock P. M.

R. R. HAYS,
Chief clerk.

MONDAY, FEBRUARY 2, 1891.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

The house was called to order at 2 o'clock P. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Montgomery and Wilkins.

Prayer was offered by Rev. Robert Whitaker of the Baptist Church, Salem.

Reading of the journal of Friday, January 30, was, on motion, dispensed with.

Mr. Armstrong, of the committee on federal relations, presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker :

Believing that the people of Oregon, as an important part of the great family of loyal citizens of this great nation, should fully and freely rejoice when the country is especially blessed, and as freely weep when the country is called upon to mourn, your committee on federal relations feels that a bereavement to the whole nation has recently occurred which calls forth our deepest sorrow, and would therefore respectfully present to the honorable legislative assembly of Ooregon the following resolution, and move its adoption.

WM. ARMSTRONG,
C. J. SHEDD,
Committee.

HOUSE CONCURRENT RESOLUTION NO. 21.

Resolved by the House, the Senate concurring :

Whereas it has pleased the All-wise director of human destinies within the past few days to remove by death, suddenly and without warning, from his important field of active labor, one of the ablest, purest and most sincere statesmen of the land, in the person of William Windom, late secretary of the United States treasury,

Resolved, That in the death of Mr. Windom, the best financial interests of the nation, more especially as they affect the toiling masses of the Pacific coast, have lost a careful, steadfast guardian, whose guiding power of mind and hand was ever toward the good of the many as opposed to the aggrandizement of the favored few; whose aim was to assist, as far as governmental policy may, the great developing forces of the vast regions known as the West and Far West; and

Resolved, That in this great man's life the possibilities of true American manhood were admirably exemplified. He was a man who sprung from the common people, and during the thirty odd years in which public honors were showered and public responsibilities were thrust upon him, he never forgot that he was still one of them; that their interests were his interests, and that it was his duty to be serviceable to them. In a social sense and in that realm where the seeds of a nation's honor or its degradation are sown—the family circle—he was exemplary and pure. In the political arena, after a period including years when the temptations for power and pelf were beyond the strength to successfully resist by many of those who were thought to be most strongly fortified, Mr. Windom goes to his grave without a breath against his honor or integrity. During a career of ten years in the lower house of congress, twice in the United States senate, and twice as secretary of the United States treasury, his wisdom, sagacity and devotion to principle were at all times visible in shaping the policy of the government according to the fundamental doctrines of republican institutions—the greatest good to the greatest number. Finally, then,

Resolved, That as representatives of Oregon, we earnestly deplore his sudden demise, at a time when his strength for usefulness had but fairly developed, and when the great financial policies, in which this coast is so deeply interested, needed his master hand to shape. We mourn his death as a great loss to the executive department of the government, a loss to the pure, outspoken statesmanship of the country, a deep loss to our sister state of Minnesota, and to every good interest, moral, social and political, the only consoling thought being that his bright, untarnished example may be a grand beacon light to the youth of our land to guide them to a successful emulation of his virtues.

The concurrent resolution was unanimously adopted by a rising vote, and on motion the same was ordered printed, and the secretary of state was instructed to forward a copy thereof to each of the United States senators and the representative in congress from Oregon.

The committee on elections presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker :

Your committee on elections, to whom was referred house bill No. 122, with the senate amendments to the same, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that the house do not concur in the senate amendments to the said house bill No. 122.

W. N. BARRETT,
Chairman.

Mr. Hall moved that the report of the committee be adopted, and that the house refuse to concur in the senate amendments.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Bötkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—56.

Nays—Messrs. Miller and Paquet—2.

Absent—Messrs. Montgomery and Wilkins—2.

So the report was adopted, and the house refused to concur in the senate amendments.

The following reports were presented:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bills Nos. 119, 14, 69, 97, 185 and 103, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 2, 1891. }

Mr. Speaker :

Your committee on enrolled bills, to whom was referred house bills Nos. 10, 24, 46, 127 and 162, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 2, 1891. }

Mr. Speaker :

Your committee on enrolled bills, to whom was referred house concurrent resolution No. 17, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 29, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has refused to concur in house joint resolution No. 1 as passed at the last session of the legislature of this state.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has

adopted house joint resolution No. 6, to have 2,500 copies of the road, game and fish laws printed.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has refused to concur in house concurrent resolution No. 20.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 24, a bill for an act for the appointment of a board of regents for the state normal school at Moumouth.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
January 29, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 63.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign house bills Nos. 10, 24, 46, 127 and 162 and house concurrent resolution No. 17, and shortly thereafter that he had signed the same.

Mr. Coleman moved to rerefer senate bill No. 17 to the committee consisting of the Lane county delegation.

Carried.

Mr. Barnes moved that house bill No. 44 be considered engrossed and passed to third reading.

Carried.

House bill No. 2 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hardy, Hartman, Johnston, Killian, Lamson, Littig, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wright, and Mr. Speaker—46.

Nays—Messrs. Coleman, Garfield, Hansard, Henry, Holmes, Jennings, Leeper, McAlister, Myer, Mulkey, Shedd and Thompson—12.

Absent—Messrs. Montgomery and Wilkins—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 13 was taken up.

On motion, the bill was rereferred to the committee on corporations for amendment, with leave to report at any time.

The following messages were received from the senate and read:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house joint memorial No. 1.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has adopted senate joint memorial No. 4.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Armstrong, the memorial was referred to the committee on federal relations.

House bill No. 108 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Armstrong, Montgomery and Wilkins—3.

So the bill passed; and there being no objections, the title of the bill stood as the title of the act.

House bill No 38 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Montgomery and Wilkins—2.

So the bill passed; and there being no objections, the title of the bill stood as the title of the act.

House bill No. 194 was read the third time.

On motion of Mr. Jennings the bill was re-committed to the committee on corporations for amendment, with leave to report at any time.

House bill No. 102 was read the third time.

On motion of Mr. Minto, the bill was re-committed to the committee on commerce for further consideration.

House bill No. 55 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Hall, Johnston, Montgomery and Wilkins—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on education presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1891. }

Mr. Speaker:

Your committee on education, to whom was referred house bill No. 116, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

That the following words be stricken out of line 5, section 4, of said printed bill: "in some institution other than Oregon schools for such youths."

J. E. BLUNDELL,
WM. ARMSTRONG,
J. F. HENRY.

The report and amendments were, on motion, adopted.

House bill No. 3 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Crook, Durham, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Leeper, Littig, Manning, McCall, McCoy, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Reed, Richey, Snider, Starr, Stephenson, Stillwell, Story, Weed, Welch, and Mr. Speaker—34.

Nays—Messrs. Blundell, Botkin, Butler, Coleman, Dustin, Furry, Gambee, Hardy, Killian, Lamson, McAlister, McCracken, Meussdorffer, Paquet, Shedd, Stewart, Thomas, Thompson, Tracy and Wright—20.

Not voting—Mr. Armstrong—1.

Absent—Messrs. Fox, Johnston, Montgomery, Morey and Wilkins—5.

So the bill passed; and there being no objection, the title of the stood as the title of the act.

On motion, the house adjourned until 8 o'clock P. M.

EVENING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

The house was called to order at 8 o'clock, Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Johnston, McCracken, Montgomery, Morey and Wilkins.

Mr. Coleman moved that house bill No. 71 be considered engrossed for a third reading.

Carried.

The committee on corporations presented the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 30, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred senate bill No. 35, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred senate bill No. 139, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred senate bill No. 57, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred house bill No. 136, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred senate bill No. 148, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

(On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred senate bill No. 23, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred senate bill No. 129, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

(On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred senate bill No. 67, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred senate bill No. 89, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred senate bill No. 65, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred senate bill No. 81, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred senate bill No. 54, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred senate bill No. 27, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred senate bill No. 125, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred senate bill No. 126, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred senate bill No. 143, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred senate bill No. 111, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred senate bill No. 79, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred house bill No. 194, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

House bill No. 28 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Barnes, Hartman, McCracken, Montgomery, Morey and Wilkins—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Merritt was excused from attendance at the evening session on account of illness.

House bill No. 71 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Fox, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Barnes, Dustin, Furry, Hardy, McCoy, McCracken, Merritt, Montgomery, Morey and Wilkins—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 194 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer,

Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—51.

Nays—None.

Absent—Messrs. Barnes, Furry, Hardy, McCoy, McCracken, Merritt, Montgomery, Morey and Wilkins—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Dustin, house bill No. 35 was considered engrossed and passed to third reading.

House bill No. 35 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—51.

Nays—None.

Absent—Messrs. Barnes, Furry, Hardy, McCoy, McCracken, Merritt, Montgomery, Morey and Wilkins—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee, consisting of the delegation from Clatsop county, to whom was referred house bills Nos. 197 and 67, presented the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker:

Your committee consisting of the Clatsop county delegation, to whom was referred house bill No. 197, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JAS. W. WELCH,
Chairman.

The report was adopted.

On motion of Mr. Welch, the bill was considered engrossed and passed to third reading.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker:

Your committee consisting of the Clatsop county delegation, to whom was referred house bill No. 67, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In section 2, line 2, of printed bill, and after the word "front," insert the word "north."

AMENDMENT.

In the same section and same line, after the word "city," insert the words, "and west of the most northerly part of Tongue point," and erase the words "adjacent to."

AMENDMENT.

In section 3, line 10, after the word "bonds," erase the words, "shall specify that the principal thereof shall become due, with ten per cent premium added, upon a default for three months in the payment of the annual interest thereon."

AMENDMENT.

In section 4, line 2, after the word "of," erase the words "and adjoining."

AMENDMENT.

In the same section, line 8, erase the word "Lafayette," and insert the word "Cass."

AMENDMENT.

In section 5, line 6, after the word "thereof," insert the words "so far as they join."

AMENDMENT.

In section 6, line 1, after the words "north of," insert the words

“low-water line as heretofore described in state deeds,” and erase the words “the meander line.”

AMENDMENT.

In the same section, line 4, after the words “of the,” erase the words “wharfage rights thereof,” and insert the words “tide flats adjacent to low-water line.”

AMENDMENT.

In section 6, line 49, after the word “owner,” insert the words “all sales of tide lands heretofore made are hereby confirmed.”

AMENDMENT.

In section 9, line 4, after the words “on the north,” erase the word “of” and insert the word “and.”

AMENDMENT.

In section 9, line 9, after the word “limit,” insert the words “up to the most northerly part of Tongue point.”

AMENDMENT.

In section 9, line 13, after the word “districts,” insert the words “and also the corresponding wharfage districts north of said sea-wall and sewer districts.”

AMENDMENT.

In section 10, line 13, after the word “city,” erase the word “upon” and insert the word “against.”

AMENDMENT.

In section 10, line 14, after the word “wall,” insert the words “and upon said property in the manner provided for as to the lots south of said sea-wall in said bay.

AMENDMENT.

In section 10, line 17, after the word “taxes,” insert the words “providing said license fee shall be reasonably reduced by the common council when the revenue from fines shall exceed one-third of the amount arising from said license fees.”

AMENDMENT.

In section 10, line 28, after the word "council," insert the words "provided ten days' notice of intention to improve as herein above provided shall be given by the said sea-wall commission by its clerk in like manner as in case of the grading of the hill streets, to be authorized in like manner and with like effect."

AMENDMENT.

In section 10, line 34, after the word "days," insert the words "prior to beginning the work."

AMENDMENT.

In section 10, line 45, preceding the word "in," insert the words "state of Oregon, Clatsop county, ss."

AMENDMENT.

In section 10, line 47, after the word "doing," insert the words "Witness my hand and seal this — day of —, 189—."

AMENDMENT.

In section 11, line 13, after the word "court," erase the word "for" and insert the word "from."

AMENDMENT.

In section 12, line 2, after the word "river," insert the words "and against said wharfage property."

AMENDMENT.

In section 13, line 4, after the word "same," insert the words "constructing sewers in said bay."

AMENDMENT.

In section 13, line 18, after the word "vacancies," insert the words "in like manner."

AMENDMENT.

In section 14, line 3, after the word "by," insert the words "an ordinance of."

AMENDMENT.

In section 15, line 4, after the word "imposed," insert the words "specifically upon property north of the meander line of the Columbia river."

JOHN FOX,
JAS. W. WELCH,
Committee.

On motion of Mr. Welch, the report and amendments were adopted and the bill ordered to the engrossing committee.

House bill No. 197 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—48.

Nays—None.

Absent—Messrs. Barnes, Blundell, Furry, Gambee, Hardy, McCoy, McCracken, Merritt, Minto, Montgomery, Morey and Wilkins—12.

So the bill passed; and there being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 148 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—48.

Nays—None.

Absent—Messrs. Barnes, Blundell, Furry, Gambee, Hall, Hardy, McCoy, McCracken, Merritt, Montgomery, Morey and Wilkins—12.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 125 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—47.

Nays—None.

Absent—Messrs. Barnes, Blundell, Furry, Gambee, Hall, Hardy, Killian, McCoy, McCracken, Merritt, Montgomery, Morey and Wilkins—13.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 126 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—47.

Nays—None.

Absent—Messrs. Barnes, Blundell, Furry, Gambee, Hall, Hardy, Killian, McCoy, McCracken, Merritt, Montgomery, Morey and Wilkins—13.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 129 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Barnes, Blundell, Furry, Hardy, Killian, McCoy, McCracken, Merritt, Montgomery, Morey and Wilkins—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 136 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—48.

Nays—None.

Absent—Messrs. Barnes, Blundell, Butler, Furry, Hardy, Killian, McCoy, McCracken, Merritt, Montgomery, Morey and Wilkins—12.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on corporations presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred house bill No. 13, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In section 2, line 3, of printed bill, strike out the words "thence south one-half mile," and insert the words "thence south one mile."

AMENDMENT.

In line 4, of section 3, strike out the words "thence north one-half mile," and insert the words "thence north one mile."

AMENDMENT.

In section 24, line 2, of printed bill, strike out the words "first Monday in April," and insert the words "third Monday in May."

GEO. L. STORY,
Chairman.

On motion of Mr. Weed, the report and amendments were adopted, and the bill ordered to the engrossing committee.

Senate bill No. 139 was read the third time.

On motion of Mr. Jennings, the bill was referred back to the committee on corporations for amendment, with leave to report at any time.

Senate bill No. 81 was read the third time.

On motion of Mr. Jennings, the bill was referred back to the committee on corporations for amendment, with leave to report at any time.

Senate bill No. 143 was read the third time.

On motion of Mr. Garfield, the bill was referred back to the committee on corporations for amendment, with leave to report at any time.

Senate bill No. 67 was read the third time.

On motion of Mr. Jennings, the bill was referred back to the committee on corporations for amendment, with leave to report at any time.

Senate bill No. 79 was read the third time.

On motion of Mr. Paquet, the bill was referred to a committee consisting of the Clackamas county delegation for further consideration.

Senate bill No. 57 was read the third time.

On motion of Mr. Jennings, the bill was referred back to the committee on corporations for amendment, with leave to report at any time.

The committee on corporations, to whom was recommitted senate bill No. 67, presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred senate bill No. 67, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

In line 6 of printed bill strike out the word "south" and insert the following: "northerly along the center of the county road."

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report and amendment were adopted. Senate bill No. 89 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—48.

Nays—None.

Absent—Messrs. Barnes, Blundell, Crook, Furry, Hardy, McCoy, McCracken, Merritt, Miller, Montgomery, Morey and Wilkins—12.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 111 was read the third time.

The question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—47.

Nays—None.

Absent—Messrs. Barnes, Blundell, Butler, Furry, Hardy, McCoy, McCracken, Merritt, Miller, Montgomery, Morey, Starr and Wilkins—13.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 54 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd,

Snider, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—47.

Nays—None.

Absent—Messrs. Barnes, Blundell, Crook, Furry, Hardy, McCoy, McCracken, Merritt, Miller, Montgomery, Morey, Starr and Wilkins—13.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 27 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—46.

Nays—None.

Absent—Messrs. Barnes, Blundell, Crook, Furry, Hall, McCoy, McCracken, Merritt, Miller, Montgomery, Morey, Mulkey, Starr and Wilkins—14.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 65 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—46.

Nays—None.

Absent—Messrs. Barnes, Blundell, Crook, Furry, Hall, Hardy, McCoy, McCracken, Merritt, Miller, Montgomery, Morey, Mulkey and Wilkins—14.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 23 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—45.

Nays—None.

Absent—Messrs. Barnes, Blundell, Crook, Furry, Hall, Hardy, McCoy, McCracken, Merritt, Miller, Montgomery, Morey, Mulkey, Starr and Wilkins—15.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 31 was taken up.

Mr. Stillwell moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—45.

Nays—None.

Absent—Messrs. Barnes, Blundell, Crook, Furry, Hall, Hardy, McCoy, McCracken, Merritt, Miller, Montgomery, Morey, Mulkey, Starr and Wilkins—15.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. Barrett moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Steph-

enson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—45.

Nays—None.

Absent—Messrs. Barnes, Blundell, Crook, Furry, Hall, Hardy, McCoy, McCracken, Merritt, Miller, Montgomery, Morey, Mulkey, Starr and Wilkins—15.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Barrett, the bill was referred to the committee on corporations.

House bill No. 37 coming on for second reading, Mr. Richey moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—45.

Nays—None.

Absent—Messrs. Barnes, Blundell, Crook, Furry, Hall, Hardy, McCoy, McCracken, Merritt, Miller, Montgomery, Morey, Mulkey, Starr and Wilkins—15.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Thomas, the bill was referred to the committee on corporations.

House bill No. 48 coming on for a second reading, Mr. Stillwell moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—45.

Nays—None.

Absent—Messrs. Barnes, Blundell, Crook, Furry, Hall, Hardy,

McCoy, McCracken, Merritt, Miller, Montgomery, Morey, Mulkey, Starr and Wilkins—15.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Stillwell, the bill was considered engrossed and passed to third reading.

House bill No. 89 coming on for a second reading, Mr. Stewart moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—44.

Nays—None.

Absent—Messrs. Barnes, Blundell, Crook, Furry, Hall, Hardy, Jennings, McCoy, McCracken, Merritt, Miller, Montgomery, Morey, Mulkey, Starr and Wilkins—16.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Stewart, the bill was referred to the committee on corporations.

House bill No. 126 coming on for second reading, Mr. Shedd moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—45.

Nays—None.

Absent—Messrs. Barnes, Blundell, Crook, Furry, Hall, Hardy, Jennings, McCoy, McCracken, Merritt, Miller, Montgomery, Morey, Starr and Wilkins—15.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Snider, the bill was considered engrossed and passed to third reading.

House bill No. 171 coming on for second reading, Mr. Armstrong moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—46.

Nays—None.

Absent—Messrs. Barnes, Blundell, Crook, Furry, Hall, Hardy, McCoy, McCracken, Merritt, Miller, Montgomery, Morey, Starr and Wilkins—14.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Armstrong, the bill was referred to the committee on corporations.

Senate bill No. 67 was read the the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—45.

Nays—None.

Absent—Messrs. Barnes, Blundell, Crook, Furry, Hall, Hardy, Killian, McCoy, McCracken, Merritt, Miller, Montgomery, Morey, Starr and Wilkins—15.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 48 having been read the second time and considered engrossed, Mr. Stillwell moved that the rules be suspended and the bill read the third time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—45.

Nays—None.

Absent—Messrs. Barnes, Blundell, Crook, Furry, Hall, Hardy, Killian, McCoy, McCracken, Merritt, Miller, Montgomery, Morey, Starr and Wilkins—15.

So the rules were suspended and house bill No. 48 read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—45.

Nays—None.

Absent—Messrs. Barnes, Blundell, Crook, Furry, Hall, Hardy, Killian, McCoy, McCracken, Merritt, Miller, Montgomery, Morey, Starr and Wilkins—15.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 126 having been read a second time and considered engrossed, Mr. Garfield moved that the rules be suspended and the bill read the third time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—45.

Nays—None.

Absent—Messrs. Barnes, Blundell, Crook, Furry, Hall, Hardy, Killian, McCoy, McCracken, Merritt, Miller, Montgomery, Morey, Starr and Wilkins—15.

So the rules were suspended and house bill No. 126 read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambia, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—47.

Nays—None.

Absent—Messrs. Blundell, Crook, Furry, Hall, Hardy, McCoy, McCracken, Merritt, Miller, Montgomery, Morey, Starr and Wilkins—13.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker ordered read to the house a telegraphic communication from the Portland chamber of commerce, protesting against the passage of house bill No. 102, known as the pilotage bill.

On motion of Mr. Welch, the communication was referred to the committee on commerce.

On motion, the house adjourned until Tuesday morning, February 3.

R. R. HAYS,
Chief clerk.

TUESDAY, FEBRUARY 3, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1891. }

The house was called to order at 10 o'clock A. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Armstrong, Blundell, Henry, Holmes, Jennings, Montgomery and Wilkins.

Prayer was offered by Rev. H. H. Brown of the Unitarian Church, Salem.

The reading of the journal was, on motion of Mr. McCoy, dispensed with.

The committee on enrolled bills presented the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker :

Your committee on enrolled bills, to whom was referred house joint resolution No. 6, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker :

Your committee on enrolled bills, to whom was referred house bills Nos. 63 and 191, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker :

Your committee on enrolled bills, to whom was referred house joint memorial No. 1, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The following message was received from the senate and read :

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker :

I am directed by the president to inform you that he has signed house concurrent resolution No. 15.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign house joint resolution No. 6, house bill No. 63, house bill No. 191, house joint memorial No. 1, and soon after stated that he had so signed.

The following message was received from the senate and read:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house joint memorial No. 11.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

The speaker announced that the regular order of business was the third reading of house bills.

THIRD READING OF HOUSE BILLS.

House bill No. 59 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Durham, Hall, Montgomery, Morey and Wilkins—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 214 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Dustin, Fox, Furry, Gambee, Garfield, Hall,

Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Durham, Montgomery and Wilkins—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. McCoy moved that the clerk be instructed to insert the enacting clause in house bill No. 96, which had been omitted through an oversight.

The motion carried unanimously, and the clerk inserted the enacting clause.

House bill No. 96 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—54.

Nays—Messrs. Johnston and Killian—2.

Absent—Messrs. Durham, Garfield, Montgomery and Wilkins—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 137 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Coleman, Dustin, Garfield, Hardy, Henry, Jennings, Leeper, McCracken, Reed, Richey, Shedd, Stephenson, Story, Weed, and Mr. Speaker—19.

Nays—Messrs. Barrett, Botkin, Butler, Crook, Durham, Fox, Furry, Gambee, Hall, Hansard, Hartman, Holmes, Johnston, Killian, Lamson, Littig, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Mulkey, Myer, Paquet, Snider, Starr, Stewart, Stillwell, Thomas, Thompson, Tracy and Welch—37.

Absent—Messrs. Montgomery, Morey, Wilkins and Wright—4.

So the bill failed to pass.

House bill No. 11 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barrett, Botkin, Butler, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hardy, Hartman, Jennings, Johnston, Littig, McAlister, McCracken, Merritt, Miller, Morey, Myer, Richey, Snider, Starr, Stillwell, Story, Thomas, Weed, Welch and Wright—30.

Nays—Messrs. Baker, Barnes, Blundell, Coleman, Hall, Hansard, Henry, Holmes, Killian, Lamson, Leeper, Manning, McCall, McCoy, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Mulkey, Paquet, Reed, Shedd, Stephenson, Stewart, Thompson, Tracy, and Mr. Speaker—27.

Absent—Messrs. Armstrong, Montgomery and Wilkins—3.

So the bill failed to pass.

House bill No. 27 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Coleman, Dustin, Gambee, Garfield, Henry, Holmes, Jennings, Killian, Leeper, McAlister, Minto, Paquet, Shedd, Snider, Stephenson and Thompson—18.

Nays—Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Crook, Durham, Fox, Furry, Hall, Hansard, Hardy, Hartman, Johnston, Lamson, Littig, Manning, McCall, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wright, and Mr. Speaker—39.

Absent—Messrs. McCoy, Montgomery and Wilkins—3.

So the bill failed to pass.

House bill No. 107 was read the third time.

On motion of Mr. Hall, the bill (house bill No. 107) was recommitted to the committee on agriculture for further consideration, with leave to report at any time.

The following messages were received from the senate and read:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon;
February 3, 1891.

Mr. Speaker:

I am directed by the president to inform you that the senate has

concurred in the house amendment to senate bill No. 67.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 3, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 21, deploring the death of William Windom, secretary of the United States treasury.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

By unanimous consent, house bill No. 196 was taken up for a second reading.

Mr. Stewart moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Garfield, McCoy, Montgomery and Wilkins—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Stewart, the bill was referred to a committee consisting of the Multnomah county delegation, with leave to report at any time.

Mr. Moor of Benton introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 36.

Resolved, That no member of the house be permitted to speak more than once on any one question, except the person introducing the question, who shall be allowed to close the debate; *and provided further*, that no member shall speak more than two minutes on one

subject, except the introducer of the question may speak three minutes on his opening or closing remarks.

On motion, consideration of the resolution was postponed until Friday next at 2 P. M.

On motion of Mr. Miller, house bill No. 125 was re-referred to the committee on railways and transportation, with leave to report at any time.

On motion of Mr. Hall, house bill No. 215 was recalled from the committee on judiciary and referred to the committee on fishing.

The committee on railways and transportation presented the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 3, 1891. }

Mr. Speaker:

Your committee on railroads and transportation, to whom was referred house bill No. 125, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

In line 10 of section 1, after the word "same," insert: "Providing that steam engines crossing street-car tracks need not stop, and shall ring their bells instead of blowing their whistles."

H. B. MILLER,
Chairman.

On motion of Mr. Miller, the report and amendment were adopted. The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 3, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the committee on ways and means, to whom was referred house joint resolution No. 4, have reported senate bill No. 176 instead of the resolution, for the reason that it requires a bill to appropriate money.

And house joint resolution No. 4 is herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 3, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has refused to recede from the amendments submitted by them to house bill No. 122, and have appointed as a committee on conference on behalf of the senate, Messrs. Fullerton and Raley.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

Mr. Hall moved that a like committee, consisting of three members of the house, be appointed by the speaker to confer with the senate committee on house bill No. 122.

Carried.

Mr. Armstrong moved a reconsideration of the vote by which the motion was carried.

Motion prevailed.

Mr. Hall moved that a committee of two members of the house be appointed by the speaker to confer with the senate committee on house bill No. 122.

Carried.

On motion of Mr. Blundell, the house adjourned.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 3, 1891. }

The house was called to order at 2 o'clock P. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Holmes, Montgomery, Myer and Story.

The committee on engrossed bills reported as follows:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1891. }

Mr. Speaker :

Your committee on engrossed bills, to whom was referred house bills Nos. 39, 124, 78, 15, 98, 60, 173, 43, 26, 62, 120, 134, 141, 217, 92, 142, 47 and 68, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, Oregon, }
February 3, 1891. }

Mr. Speaker :

I am directed by the president to inform you that he has signed house bills Nos. 63 and 191, house joint resolution No. 6, and house joint memorial No. 1.

And the same are herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, Oregon, }
February 3, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 142, an act authorizing the city of Albany, in Linn county, Oregon, and the counties of Linn and Benton, or each or any of them, to construct a bridge across the Willamette river opposite to or near the city of Albany, in Linn county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 3, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 149, a bill for an act providing for city hall commissioners of the city of Portland.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 3, 1891. }

Mr. Speaker :

I am directed by the president to inform you that he has signed house bills Nos. 10, 24, 46, 127 and 162 and house concurrent resolution No. 17.

And the same are herewith returned to you.

O. P. MILLER,
Chief clerk.

The speaker announced as committee on the part of the house to confer with the senate committee on house bill No. 122, Messrs. Hall and Reed.

The speaker had read a telegraphic message from the Astoria chamber of commerce urging the passage of senate bill No. 56.

On motion of Mr. Welch, the communication was referred to the committee on commerce.

The special order for this hour being the consideration of house bill No. 248 in committee of the whole, on motion of Mr. McCoy, the house resolved itself into committee of the whole, with Mr. Barrett in the chair.

At 4:35 the committee rose and presented the following report to the house:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 3, 1891. }

Mr. Speaker :

Your committee of the whole house, to whom was referred house

bill No. 248, beg leave to report that they have had the same under consideration, and would respectfully report progress and that we respectfully ask for further time.

W. N. BARRETT,
Chairman.

On motion, the report was adopted.

Mr. McCoy moved that further consideration of house bill No. 248 be made a special order for 10 o'clock to-morrow morning.

Mr. Hall moved that the time of said special order be fixed at 7:30 to-morrow evening.

Amendment lost.

The original motion was carried.

Mr. Holmes obtained unanimous consent to call up house bill No. 209 for second reading.

House bill No. 209 coming on for second reading, Mr. Holmes moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Montgomery and Welch—2.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Holmes, the bill was considered engrossed for a third reading.

The committee on corporations presented the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred senate bill No. 81, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

In line 13 of subdivision 9 of section 4, after the word "sum," strike out the words "than two hundred and fifty dollars per annum," and insert the words "than is prescribed by the general laws of the state of Oregon, and not less than the restrictions and provisions of the same for the license of spirituous, vinous or malt liquors in force at the time of the issuance of such license."

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report and amendment were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred house bill No. 37, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

In section 8, subdivision 5, after the word "provided" strike out the lines 25, 26, 27, 28, 29 and 30, and insert in lieu thereof the words "that no license shall be issued to any person to sell spirituous, vinous or malt liquors for a less sum than that provided by the general laws of the state of Oregon at the time of its issuance."

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report and amendment were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred senate bill No. 139, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

In line 18 of subdivision 9 of section 31, strike out the words "except petitions by a majority of the legal voters, which may or may not be determined by ordinance."

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report and amendment were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred senate bill No. 31, to incorporate the town of Fossil, in Gilliam county, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out all of line 7 of subdivision 14 of section 18, after the word "galleries;" also all of lines 8, 9 and 10 of same section and subdivision.

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report and amendment were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred senate bill No. 57, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

In line 12 of subdivision 24 of section 11, after the word "any," strike out the word "greater" and insert in lieu thereof the word "less."

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report and amendment were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred house bill No. 171, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred senate bill No. 143, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

In chapter 2 of section 4 of the original bill, in line 3, after the word "the," strike out the words "first Monday in May" and insert in lieu thereof "last Monday in April."

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report and amendment were adopted.

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 30, 1891.

Mr. Speaker:

Your committee on corporations, to whom was referred house bill No. 113, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In lieu of section 2 of the present bill insert the following:

Section 2. The corporate limits of the city of Sheridan shall be as follows, to wit: Beginning at the northwest corner of the donation land claim of C. B. Graves, in Yamhill county, state of Oregon; running thence easterly along the north line of said claim forty chains; thence north forty chains; thence west eighty chains; thence south sixty chains; thence east fifty chains; thence north twenty chains to said northwest corner of said donation land claim, the place of beginning.

AMENDMENT.

In lieu of subdivision 2 of section 33 of the printed bill, insert the following:

2. To levy and collect taxes not to exceed $7\frac{1}{2}$ mills per annum upon all property within the corporate limits subject to assessment and taxation for county, district and state purposes, and to borrow money upon the credit of the city in any sum not to exceed ten thousand dollars, and when thereunto duly authorized by a majority of the legal and qualified voters of said city of Sheridan at an election to be held pursuant to an ordinance of said council to be passed providing for the submission of said question and the amount of any such proposed indebtedness to a vote as aforesaid; *provided, however,* that said council shall have the power without any such vote to contract an indebtedness not to exceed one thousand dollars. To constitute a legal and qualified voter within the meaning of this subdivision 2, in addition to the qualifications prescribed by this charter, such voter shall have been assessed and liable to pay a tax for municipal purposes during the year in which such election is held.

AMENDMENT.

In lieu of section 128 insert in the present bill the following, to wit:

Section 128. The indebtedness of the city of Sheridan must not exceed in the aggregate the sum of eleven thousand dollars, and any excess above such sum shall be void.

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report and amendments were adopted.

The committee on counties, to whom was referred the petition of citizens of Linn county, asking the formation of a new county, to be known as Santiam, reported house bill No. 272 in answer to the prayer of said petition.

Mr. Armstrong moved that house bill No. 171 be considered engrossed and put upon its final passage.

Carried.

The committee on engrossed bills presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bill No. 116, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

House bill No. 171 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Hall and Montgomery—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Weed introduced house bill No. 272:

"A bill for an act to create the county of Santiam, and to fix the salaries of county judge and treasurer thereof, and to provide for the taxes thereof; and to adjust the indebtedness of Linn county and said county, and to provide for the representative and senatorial districts of said county and said county of Linn."

Mr. Weed moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—59.

Nays—None.

Absent—Mr. Montgomery—1.

So the rules were suspended and the bill read the first time by title, and passed to a second reading without further question.

Mr. Barnes moved that the rules be suspended and that house bill No. 272 be read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hardy, Hartman, Henry, Jennings, Johnston, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—51.

Nays—Messrs. Garfield, Hansard, Holmes, Killian, Lamson and Mulkey—6.

Absent—Messrs. Hall, Littig and Montgomery—3.

So the rules were suspended, the bill read the second time by title, and considered engrossed and passed to a third reading to-morrow.

Mr. Thompson moved that when the house adjourn it be until 7:30 this evening.

Carried.

Mr. Armstrong moved to reconsider the vote by which the last motion prevailed.

Carried.

On motion, the house adjourned until 10 o'clock A. M. Wednesday, February 4, 1891.

R. R. HAYS,
Chief clerk.

WEDNESDAY, FEBRUARY 4, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 4, 1891. }

The house was called to order at 10 o'clock A. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Littig, McCoy, Montgomery, Stewart and Thomas.

Mr. Littig and Mr. Stewart were excused.

Prayer was offered by Rev. Dr. Gwynne of the Presbyterian Church, Salem.

On motion, the reading of the journal of yesterday was dispensed with.

The speaker had read a telegraphic communication from the Astoria board of trade condemning the present pilotage laws and urging the passage of house bill No. 102.

On motion of Mr. Welch, the communication was referred to the committee on commerce.

The committee appointed to visit and investigate the state normal school at Monmouth, presented the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 4, 1891. }

To the Senate and House of Representatives of the Legislative Assembly of the State of Oregon:

GENTLEMEN: The joint committee appointed under house concurrent resolution No. 13, to investigate the management and condition of the Oregon state normal school, report that the duty assigned to the committee has been discharged, and we find—

That the Oregon state normal school is located at Monmouth, in Polk county.

That a fine two-story brick building, supplied with all the mod-

ern improvements, has been erected upon a tract of land of ten acres now owned and used by said school.

That this land gently slopes each way from the school building, thereby rendering the drainage perfect and conducing to the general health of the place.

That the narrow-gauge railroad passes through Monmouth, and the Southern Pacific through Independence, a distance of two and one-half miles from Monmouth. These towns are connected by a steam motor railway, rendering it accessible from all points.

This school was formerly sectarian; but several years since it was organized as the Oregon state normal school, and the real property conveyed to a board of trustees, to be held for the benefit of a normal school, since which time it has not been and is not now at all sectarian in its character.

We found in attendance two hundred and twenty-four pupils, who are daily trained in the best methods of teaching, and each lesson presented carried with it criticisms and suggestions as to the proper and best methods of instruction in the several branches.

That it is the duty of the state to educate its children, none will deny; that the object should be to accomplish the greatest amount of good in the least possible time in the education of their children, all must claim; that a person specially trained in the art of teaching can accomplish this desirable result better and in less time than one who has not had the benefit of such training, all who have had a chance to observe will testify; that the time has come when the state should do more for our common schools; that the standard of common-school education should be raised to a higher plane, and that the normal school teacher is the hope of the common schools.

That the property of the Oregon state normal school is valued at about \$30,000, and that the trustees of this school purpose to convey this property to the state, in order to further the best interests of our common schools.

That this school has done and is doing a noble work in preparing teachers for their high calling.

That if the said school could become a state institution, the good work it has been doing would be increased.

Respectfully submitted,

F. A. MOORE,
Chairman,
J. MYERS,
WM. ARMSTRONG,
J. F. HENRY,
W. SINCLAIR,
Joint committee.

On motion of Mr. Armstrong, the report was adopted.

The committee consisting of the Lane county delegation, to whom was referred senate bill No. 17, made the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 4, 1891. }

Mr. Speaker :

Your committee, consisting of the Lane county delegation, to whom was referred senate bill No. 17, with leave to report at any time, beg leave to say that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In section 1, line 2, strike out the word "Lane."

AMENDMENT.

In title of the bill, strike out the word "Lane."

A. C. JENNINGS,
Chairman.

On motion, the report was adopted.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has adopted house joint resolution No. 5.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 4, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate joint resolution No. 6.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Miller moved that the house concur in the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Littig, Montgomery, Stewart and Thomas—4.

So the joint resolution was concurred in.

The committee on investigation of the state university at Eugene presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 4, 1891. }

To the Honorable the Legislative Assembly of the State of Oregon:

We, your committee appointed under senate concurrent resolution No. 1, do most respectfully submit—

That, in accordance with said resolution, your committee visited the state university of Oregon January 30, and spent the day in examining the buildings and grounds.

We were kindly shown through each and every department of the buildings and assisted in our examination by the officers in charge.

There are two large college buildings, a gymnasium, and an observatory. The college buildings and the gymnasium are situated on elevated grounds overlooking the town of Eugene City, and are reached by a gentle slope from the west.

Upon entering the college campus, our eyes were attracted by the general order and neatness which pervade the surroundings. Numerous native trees adorn the grounds, variegated here and there by some rare tree, which it has been the custom of each graduating class to plant upon retiring from the university.

What is known as the old university building is a three-story

brick structure and a basement. The roof of this building has always been defective, and the damage done the building by leakage during the last and the present winter has made the necessity of replacing the old roof by a new one almost imperative. We were shown through the halls and each class-room of this building, and found them neat and clean, everything being in the best of order.

Great care has been taken to prevent accident by fire, and on each floor water-pipes with hose attachments are provided.

The water supply for the buildings and grounds is obtained from the Eugene City water works, and there is sufficient pressure to carry it to the top of each of the buildings. The rooms and halls are also furnished with electric lights.

The old building is heated by means of stoves, the basement being used for the storage of wood.

The new building, or Villard hall, is heated by means of hot air, and the structure throughout is well arranged for the purposes for which it was built. The first floor is used for class-rooms and the university library. The auditorium is situated on the second floor.

We would respectfully urge the necessity of repainting both buildings, and of cementing the external walls of the old building; and also of replacing the old roof with a new one.

After a careful estimate of the cost of said improvements, we find that five thousand and five hundred dollars would be sufficient to make the necessary repairs. We would therefore recommend that the legislature appropriate said sum of money for the purpose above stated, and that said sum be expended by the board of regents in the manner which they may deem most expedient in making said improvements or repairs. We feel warranted in saying that not a dollar has been expended for the state university which the state has not been both indirectly and directly compensated.

Oregon, rising each year in mining, agriculture and commercial prominence, cannot afford to be behind other states in giving to each and every one of her young men and women an opportunity to secure a higher education in their native state.

The liberal policy heretofore adopted by the state towards the university has placed it practically within the reach of every energetic young person who desires to avail himself of its opportunities.

Respectfully submitted,

O. M. DODSON,
Chairman.

JEFF. MYERS,
On the part of the senate.
J. M. McCALL,
W. J. MULKEY,
On the part of the house.

On motion, the report was adopted.

On motion of Mr. McCoy, the house resolved itself into committee of the whole, with Mr. Barrett in the chair, for further consideration of house bill No. 248.

The committee rose at 11:45 and presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 4, 1891. }

Mr. Speaker:

Your committee of the whole, to whom was referred house bill No. 248, beg leave to report that they have had the same under consideration, and would respectfully ask to report progress and ask for further time to consider said matter.

W. N. BARRETT,
Chairman.

On motion, the report was adopted.

Mr. Gambee moved that when the house convene at 2 o'clock, it again resolve itself into committee of the whole for further consideration of house bill No. 248.

Motion carried.

On motion, house adjourned.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 4, 1891. }

The house was called to order at 2 o'clock P. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Holmes, Littig, Montgomery, Stewart and Thomas.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, Oregon, }
February 4, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has

passed senate bill No. 99, a bill for an act to amend section 3239 of Hill's annotated laws of Oregon, relating to the organizations and powers of corporations.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 4, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 160, a bill for an act entitled an act to authorize the Coos Bay, Roseburg and Eastern Railway and Navigation Company to construct a bridge across Coal Bank slough, in the county of Coos, in the state of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 4, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 95, for an act entitled an act to amend section 2371 of title 2, chapter 11, of the miscellaneous laws of the state of Oregon, relating to the fees of officers in certain counties, as compiled by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Paquet moved that when the house adjourn this afternoon it be to 8 o'clock this evening for the consideration of corporation bills and bills for wagon road appropriations.

Motion lost.

Mr. Hall moved that the house resolve itself into committee of the whole to resume consideration of house bill No. 248.

Motion carried.

The house went into committee of the whole with Mr. Barrett in the chair.

The committee rose at 5:45 and presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 4, 1891. }

Mr. Speaker:

Your committee of the whole house, to whom was referred house bill No. 248, beg leave to report that they have had the same under consideration, and would respectfully beg leave to report progress, and would ask for further time to consider said matter.

W. N. BARRETT,
Chairman.

On motion, the report was adopted.

Mr. Gambee moved that when the house convenes to-morrow morning at 10 o'clock, it resolve itself into a committee of the whole for further consideration of house bill No. 248.

Motion carried.

Mr. Paquet introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 37.

Whereas it is very desirable, in order to facilitate the business of the house, that an evening session be held at an early day; therefore be it

Resolved, That the house of representatives of the state of Oregon hold an evening session Thursday evening, February 5, 1891, for the purpose of considering all wagon road bills that have been reported back from the special committee on wagon roads.

Mr. Barnes moved to amend by inserting "Friday" evening instead of "Thursday."

Amendment lost.

Resolution adopted.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, Oregon, }
February 4, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has

passed senate bill No. 77, a bill for an act to authorize suits or actions to be brought against the state of Oregon, as to liabilities originating after or existing at the time of the adoption of the constitution of Oregon, on February 14, 1859, and to define the method of such proceedings.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 4, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 7, a bill for an act to provide for the improvement of a wagon road from Monument to John Day City, in Grant county, Oregon, and to appropriate money therefor.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 4, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 76, a bill for an act to amend section 3312, chapter 34, of the laws of Oregon, as compiled and annotated by W. Lair Hill, concerning the incorporation of churches and societies.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 4, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has

passed senate bill No. 29, a bill for an act to authorize and empower the Willamette Valley and Coast railroad company to issue bonds, payable at a longer period than twenty years, and to make mortgages securing the same, and to amend a part of section 4 of this act, entitled an act to provide for the construction of the Willamette Valley and Coast railroad, approved October 24, 1874, as amended by the act entitled an act to amend an act entitled an act to provide for the construction of the Willamette Valley and Coast railroad, approved October 14, 1878.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 4, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 73, a bill for an act to authorize the admission of aliens as attorneys and to practice in the courts of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 4, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 69, a bill for an act to regulate the liens of judgments and decrees of the courts of the United States for the district of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 4, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 51, a bill for an act to amend section 3271 of title 3 of chapter 32 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 4, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate joint resolution No. 8, endorsing Hon. Henry Failing of Portland, Oregon, for the office made vacant by the death of Hon. William Windom.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Story moved that the house concur in the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Littig, Montgomery, Reed, Stewart and Thomas—5.

So the joint resolution was unanimously concurred in.

By unanimous consent, house bill No. 219 came on for second reading.

Mr. Miller moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrétt, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Littig, Montgomery, Stewart and Thomas—4.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Miller, the bill was referred to the committee on corporations with leave to report at any time.

Mr. Welch moved that when the house adjourn it be until 7:30 o'clock this evening for the consideration of corporation bills only.

Motion carried.

On motion, the house adjourned.

EVENING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 4, 1891. }

The house was called to order at 7:30 o'clock, Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Littig, Montgomery, Stewart and Story.

The committee on corporations presented the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 4, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred house bill

No. 208, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 4, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred house bill No. 219, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted.

On motion of Mr. Miller, house bill No. 219 was considered engrossed and passed to third reading.

By unanimous consent, house bill No. 225 came on for a second reading.

Mr. Wright moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Fox, Gambee, Garfield, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Reed, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—48.

Nays—None.

Absent—Messrs. Dustin, Furry, Hall, Hartman, Littig, Merritt, Montgomery, Myer, Paquet, Richey, Stewart, Thomas and Thompson—12.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Wright, the bill was referred to the committee on corporations with leave to report at any time.

Mr. Speaker was, on motion, excused for the evening, and Mr. Miller was called to the chair.

Messrs. Moor of Benton and Wilkins were excused.

The committee on engrossed bills reported as follows:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bill No. 13, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 4, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bill No. 67, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

The committee on corporations reported as follows:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 4, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred house bill No. 255, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

The report was, on motion, adopted.

On motion of Mr. Story, house bill No. 255 was considered engrossed and passed to third reading.

Mr. McCall, by unanimous consent, introduced house bill No. 273:

"A bill for an act to amend section 20 of an act entitled an act to incorporate the city of Ashland, in Jackson county, Oregon, and to define the powers thereof, as filed in the office of the secretary of state, February 21, 1889."

Mr. McCall moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hardy, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Meussdorffer, Miller, Minto, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stillwell, Story, Tracy, Weed, Welch and Wright—46.

Nays—None.

Absent—Messrs. Furry, Hall, Hartman, Henry, Merritt, Montgomery, Moor of Benton, Myer, Stephenson, Stewart, Thomas, Thompson, Wilkins, and Mr. Speaker—14.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

House bill No. 273 coming on for a second reading, Mr. McCall moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Fox, Gambee, Garfield, Hansard, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stillwell, Story, Tracy, Weed, Welch and Wright—43.

Nays—None.

Absent—Messrs. Blundell, Dustin, Furry, Hall, Hartman, Henry, Johnston, Littig, Montgomery, Moor of Benton, Myer, Stephenson, Stewart, Thomas, Thompson, Wilkins, and Mr. Speaker—17.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. McCall, the bill was referred to the committee on corporations, with leave to report at any time.

On motion, a call of the house was ordered; but during the progress of the call, absent members returned, and a quorum was present, so on motion, further call of the house was dispensed with.

Mr. Story introduced house bill No. 274:

"A bill for an act to amend an act entitled an act to incorporate the city of Portland, approved October 24, 1882, as amended by an act passed in February, 1889, and filed in the office of the secretary of state February 25, 1889, which section relates to the indebtedness of said city of Portland, and to repeal all acts and parts of acts in conflict with this act."

Mr. Story moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Fox, Gambee, Garfield, Hansard, Hardy, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thompson, Tracy, Weed and Welch—43.

Nays—None.

Absent—Messrs. Dustin, Furry, Hall, Hartman, Johnston, Killian, Littig, McAlister, McCoy, Montgomery, Moor of Benton, Myer, Stewart, Thomas, Wilkins, Wright, and Mr. Speaker—17.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

House bill No. 274 coming on for second reading, Mr. Story moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hardy, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, McCracken, Merritt, Miller, Minto, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thompson, Tracy, Weed and Welch—43.

Nays—None.

Absent—Messrs. Furry, Hall, Hartman, Johnston, Killian, Littig, McAlister, McCoy, Meussdorffer, Montgomery, Moor of Benton, Myer, Stewart, Thomas, Wilkins, Wright, and Mr. Speaker—17.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Story, the bill was referred to a committee of the Multnomah delegation with leave to report at any time.

Mr. Garfield introduced house bill No. 275:

"A bill entitled an act to amend an act to incorporate the town of Empire City, approved February 11, 1885."

The bill was read the first time and passed to its second reading without question.

Mr. Garfield moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hardy, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thompson, Tracy, Weed and Welch—44.

Nays—None.

Absent—Messrs. Furry, Hall, Hartman, Johnston, Killian, Littig, McAlister, Minto, Montgomery, Moor of Benton, Myer, Stewart, Thomas, Wilkins, Wright, and Mr. Speaker—16.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Garfield, the bill was considered engrossed and passed to third reading.

The committee on corporations reported as follows:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 4, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred house bill No. 273, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report was adopted.

On motion of Mr. McCall, the bill was considered engrossed and passed to third reading.

By unanimous consent, house bill No. 207 came on for second reading.

Mr. Holmes moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Baker, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Dustin, Durham, Fox, Gambee, Garfield,

Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thompson, Tracy, Weed and Welch—45.

Nays—None.

Absent—Messrs. Furry, Hall, Johnston, Killian, Littig, McAlister, Minto, Montgomery, Moor of Benton, Myer, Stewart, Thomas, Wilkins, Wright, and Mr. Speaker—15.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Holmes, the bill was referred to the committee on corporations with leave to report at any time.

The committee on corporations presented the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 4, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred house bill No. 225, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report was adopted, the bill considered engrossed and passed to third reading.

By unanimous consent, house bill No. 243 came on for second reading.

Mr. Holmes moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hardy, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Tracy, Thompson, Weed and Welch—43.

Nays—None.

Absent—Messrs. Botkin, Furry, Hall, Hartman, Johnston, Killian,

Littig, McAlister, Minto, Montgomery, Moor of Benton, Myer, Stewart, Thomas, Wilkins, Wright, and Mr. Speaker—17.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Holmes, the bill was considered engrossed and passed to third reading.

By unanimous consent, house bill No. 200 came on for a second reading.

Mr. Garfield moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Dustin, Fox, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thompson, Tracy, Weed and Welch—44.

Nays—None.

Absent—Messrs. Durham, Furry, Hall, Johnston, Killian, Littig, McAlister, Minto, Montgomery, Moor of Benton, Myer, Stewart, Thomas, Wilkins, Wright, and Mr. Speaker—16.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Garfield, the bill was referred to the committee on corporations, with leave to report at any time.

House bill No. 119 was read the third time.

On motion, unanimous consent was obtained to instruct the clerks to write in the word "hundred" where the same has been inadvertently omitted.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moore of Washington, Morey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch and Wright—46.

Nays—None.

Absent—Messrs. Crook, Furry, Hartman, Johnston, Killian, Littig, Minto, Montgomery, Moor of Benton, Myer, Mulkey, Stewart, Wilkins, and Mr. Speaker—14.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 209 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch and Wright—47.

Nays—None.

Absent—Messrs. Crook, Furry, Johnston, Killian, Littig, McAlister, Minto, Montgomery, Moor of Benton, Myer, Stewart, Wilkins, and Mr. Speaker—13.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 4, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bill No. 37, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

House bill No. 225 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thompson, Tracy, Weed, Welch and Wright—47.

Nays—None.

Absent—Messrs. Crook, Furry, Johnston, Killian, Littig, Minto,

Montgomery, Moor of Benton, Myer, Stewart, Thomas, Wilkins, and Mr. Speaker—13.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on corporations submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 4, 1891.

Mr. Speaker:

Your committee on corporations, to whom was referred house bill No. 207, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Add the following words to subdivision 4, section 21: "*Provided, further,* that no license for the sale of spirituous, vinous or malt liquors shall be issued for a less sum than is prescribed by the general laws of the state of Oregon at the time of the issuance of the same."

GEO. L. STORY,
Chairman.

On motion, the report and amendment were adopted.

House bill No. 13 was read the third time.

The question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr Stephenson, Stillwell, Story, Thompson, Tracy, Weed, Welch and Wright—46.

Nays—None.

Absent—Messrs. Crook, Furry, Johnston, Killian, Littig, McAlister, Minto, Montgomery, Moor of Benton, Myer, Stewart, Thomas, Wilkins, and Mr. Speaker—14.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 67 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thompson, Tracy, Weed, Welch and Wright—45.

Nays—None.

Absent—Messrs. Crook, Furry, Hall, Johnston, Killian, Littig, McAlister, McCracken, Montgomery, Moor of Benton, Stewart, Thomas, Wilkins, and Mr. Speaker—15.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 219 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, Merritt, Meussdorffer, Miller, Minto, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thompson, Tracy, Weed, Welch and Wright—42.

Nays—None.

Absent—Messrs. Blundell, Crook, Furry, Hall, Johnston, Killian, Littig, McAlister, McCoy, McCracken, Montgomery, Moor of Benton, Morey, Stewart, Story, Thomas, Wilkins and Mr. Speaker—18.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Armstrong, house bill No. 208 was considered engrossed and passed to third reading.

The committee on corporations submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 4, 1891.

Mr. Speaker:

Your committee on corporations, to whom was referred house bill No. 200, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted, the bill considered engrossed and passed to third reading.

On motion, a call of the house was ordered, and the sergeant-at-arms was instructed to bring in the Multnomah delegation and other absent members.

A quorum appearing in a short time, further call of the house was, on motion, dispensed with.

On motion, the Multnomah delegation was excused for the evening, there being still a quorum for the transaction of business.

Motion to adjourn was lost.

House bill No. 255 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, Merritt, Miller, Minto, Moore of Washington, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thompson, Tracy, Weed, Welch and Wright—40.

Nays—None.

Absent—Messrs. Botkin, Furry, Hall, Johnston, Killian, Littig, McAlister, McCall, McCoy, McCracken, Meussdorffer, Montgomery, Moor of Benton, Morey, Myer, Stewart, Story, Thomas, Wilkins, and Mr. Speaker—20.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. McCall moved that the rules be suspended and house bill No. 273 read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, Merritt, Miller, Minto, Moore of Washington, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thompson, Tracy, Weed, Welch and Wright—40.

Nays—None.

Absent—Messrs. Botkin, Furry, Hall, Hardy, Johnston, Killian, Littig, McAlister, McCoy, McCracken, Meussdorffer, Montgomery,

Moor of Benton, Morey, Myer, Stewart, Story, Thomas, Wilkins, and Mr. Speaker—20.

So the rules were suspended and the bill ordered read the third time.

House bill No. 273 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, Merritt, Miller, Minto, Moore of Washington, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thompson, Tracy, Weed, Welch and Wright—40.

Nays—None.

Absent—Messrs. Botkin, Furry, Hall, Hardy, Johnston, Killian, Littig, McAlister, McCoy, McCracken, Meussdorffer, Montgomery, Moor of Benton, Morey, Myer, Stewart, Story, Thomas, Wilkins, and Mr. Speaker—20.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 37 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Crook, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, Merritt, Miller, Minto, Moore of Washington, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thompson, Tracy, Weed, Welch and Wright—40.

Nays—None.

Absent—Messrs. Botkin, Furry, Hall, Hardy, Johnston, Killian, Littig, McAlister, McCoy, McCracken, Meussdorffer, Montgomery, Moor of Benton, Morey, Myer, Stewart, Story, Thomas, Wilkins, and Mr. Speaker—20.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

A call of the house was, on motion, ordered, but the absent members appearing, the further call was, on motion, dispensed with.

House bill No. 208 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Crook, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, Merritt, Miller, Minto, Moore of Washington, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thompson, Tracy, Weed, Welch and Wright—40.

Nays—None.

Absent—Messrs. Botkin, Furry, Hall, Hardy, Johnston, Killian, Littig, McAlister, McCoy, McCracken, Meussdorffer, Montgomery, Moor of Benton, Morey, Myer, Stewart, Story, Thomas, Wilkins, and Mr. Speaker—20.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 200 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, Merritt, Miller, Minto, Moore of Washington, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell Thompson, Tracy, Weed, Welch and Wright—40.

Nays—None.

Absent—Messrs. Botkin, Furry, Hall, Hardy, Johnston, Killian, Littig, McAlister, McCoy, McCracken, Meussdorffer, Montgomery, Moor of Benton, Morey, Myer, Stewart, Story, Thomas, Wilkins, and Mr. Speaker—20.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Garfield moved that the rules be suspended and house bill No. 275 read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, Merritt, Miller, Minto, Moore of Washington, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson Stillwell, Thompson, Tracy, Weed, Welch and Wright—40.

Nays—None.

Absent—Messrs. Botkin, Furry, Hall, Hardy, Johnston, Killian, Littig, McAlister, McCoy, McCracken, Meussdorffer, Montgomery,

Moor of Benton, Morey, Myer, Stewart, Story, Thomas, Wilkins, and Mr. Speaker—20.

So the rules were suspended and the bill read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, Merritt, Miller, Minto, Moore of Washington, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thompson, Tracy, Weed, Welch and Wright—40.

Nays—None.

Absent—Messrs. Botkin, Furry, Hall, Hardy, Johnston, Killian, Littig, McAlister, McCoy, McCracken, Meussdorffer, Montgomery, Moor of Benton, Morey, Myer, Stewart, Story, Thomas, Wilkins and Mr. Speaker—20.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 139 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, Merritt, Miller, Minto, Moore of Washington, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thompson, Tracy, Weed, Welch, and Wright—40.

Nays—None.

Absent—Messrs. Botkin, Furry, Hall, Hardy, Johnston, Killian, Littig, McAlister, McCoy, McCracken, Meussdorffer, Montgomery, Moor of Benton, Morey, Myer, Stewart, Story, Thomas, Wilkins, and Mr. Speaker—20.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion, senate bill No. 57 was referred to the committee on corporations for amendment, with leave to report at any time.

Senate bill No. 31 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hansard,

Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, Merritt, Miller, Minto, Moore of Washington, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thompson, Tracy, Weed, Welch and Wright—40.

Nays—None.

Absent—Messrs. Botkin, Furry, Hall, Hardy, Johnston, Killian, Littig, McAlister, McCoy, McCracken, Meussdorffer, Montgomery, Moor of Benton, Morey, Myer, Stewart, Story, Thomas, Wilkins, and Mr. Speaker—20.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on corporations submitted the following report:

[The report is not in the original.—SECRETARY OF STATE.]

Senate bill No. 143 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, Merritt, Miller, Minto, Moore of Washington, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thompson, Tracy, Weed, Welch and Wright—40.

Nays—None.

Absent—Messrs. Botkin, Furry, Hall, Hardy, Johnston, Killian, Littig, McAlister, McCoy, McCracken, Meussdorffer, Montgomery, Moor of Benton, Morey, Myer, Stewart, Story, Thomas, Wilkins, and Mr. Speaker—20.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Holmes moved that the rules be suspended and house bill No. 243 read the third time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, Merritt, Miller, Minto, Moore of Washington, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thompson, Tracy, Weed, Welch and Wright—40.

Nays—None.

Absent—Messrs. Botkin, Furry, Hall, Hardy, Johnston, Killian, Littig, McAlister, McCoy, McCracken, Meussdorffer, Montgomery, Moor of Benton, Morey, Myer, Stewart, Story, Thomas, Wilkins, and Mr. Speaker—20.

So the rules were suspended and the bill ordered read the third time.

House bill No. 243 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambia, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, Merritt, Miller, Minto, Moore of Washington, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thompson, Tracy, Weed, Welch and Wright—40.

Nays—None.

Absent—Messrs. Botkin, Furry, Hall, Hardy, Johnston, Killian, Littig, McAlister, McCoy, McCracken, Meussdorffer, Montgomery, Moor of Benton, Morey, Myer, Stewart, Story, Thomas, Wilkins, and Mr. Speaker—20.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 81 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambia, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, Merritt, Miller, Minto, Moore of Washington, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thompson, Tracy, Weed, Welch and Wright—40.

Nays—None.

Absent—Messrs. Botkin, Furry, Hall, Hardy, Johnston, Killian, Littig, McAlister, McCoy, McCracken, Meussdorffer, Montgomery, Moor of Benton, Morey, Myer, Stewart, Story, Thomas, Wilkins, and Mr. Speaker—20.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on corporations reported as follows:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 4, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred senate bill

No. 57, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

That the word "greater" in line 12 of subdivision 24 of section 11, be struck out and the word "less" be inserted in lieu thereof.

GEO. L. STORY,
Chairman.

On motion, the report and amendment were adopted.

Senate bill No. 57 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, Merritt, Miller, Minto, Moore of Washington, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thompson, Tracy, Weed, Welch and Wright—40.

Nays—None.

Absent—Messrs. Botkin, Furry, Hall, Hardy, Johnston, Killian, Littig, McAlister, McCoy, McCracken, Meussdorffer, Montgomery, Moor of Benton, Morey, Myer, Stewart, Story, Thomas, Wilkins, and Mr. Speaker—20.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion, the house adjourned to Thursday morning, February 5, 1891.

R. R. HAYS,
Chief clerk.

THURSDAY, FEBRUARY 5, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 5, 1891. }

The house was called to order at 10 o'clock A. M., Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Armstrong, Furry,

Holmes, Littig, McCracken, Montgomery, Paquet, Stewart and Wilkins.

Prayer was offered by Rev. E. S. Bollinger of the Evangelical Church, Salem.

On motion, the reading of the journal was dispensed with.

The committees on engrossed and enrolled bills made reports as follows:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 4, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bill No. 125, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 4, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house joint memorial No. 11, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house joint memorial No. 11, and shortly thereafter that he had signed the same.

The following communication was received from the secretary of state:

COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE, }
SALEM, Oregon, }
February 4, 1891. }

To the Honorable the House of Representatives of the Legislative Assembly of the State of Oregon:

I have the honor herewith to return to the house of representa-

tives house bill No. 218 of the fifteenth biennial session of the legislative assembly, which was filed in this office February 25, 1889, together with the objections of the governor thereto.

I have the honor to be, very respectfully,

Your obedient servant,

GEO. W. McBRIDE,
Secretary of State.

STATE OF OREGON,
EXECUTIVE DEPARTMENT,
SALEM, February 26, 1889. }

To the Honorable the House of Representatives of the State of Oregon:

I herewith return house bill No. 218 with my dissent. This is entitled "A bill for an act to protect and promote the fishing industry of the state of Oregon and to collect money from certain persons engaged in said industry, to be used to protect and promote the same," and provides for an imposition of a tax upon "every person or corporation within this state engaged in canning, preserving, and dealing in packing, shipping, buying from first hands for profit or speculating in salmon," one-half of one cent apiece for Chinook salmon, and one-sixth of one cent apiece for steel-heads, and one-sixteenth of one cent apiece for blue-backs, and one-fourth of one cent apiece for silver-sides," and further provides that the moneys so collected shall be paid to the state treasurer into a fund to be known and designated as "the fund for the benefit of the salmon industry," and to be hereafter appropriated as may seem proper by the legislative assembly for the benefit of the industry in the respective districts from which it accrued only." Our state constitution provides, article 9, section 2, that "the legislative assembly shall provide for raising revenue sufficient to defray the expenses of the state for each fiscal year and also a sufficient sum to pay the interest on the state debt, if there be any." There is no provision whatever by which a revenue can be raised by the legislature for any other purpose, and this act, therefore, which would impose a special tax upon a special industry, for a special purpose, is equally repugnant to this provision as well as to that other provision in that "all taxation shall be equal and uniform." I veto the bill.

SYLVESTER PENNOYER,
Governor.

On motion, the message and bill were ordered printed.

On motion of Mr. Minto, the message of the governor was referred to the committee of the whole house, to be considered as special order next Monday evening at 8 o'clock.

Mr. Manning presented a petition from numerous citizens of the state asking that six per centum be established as the legal rate of interest.

The committee on corporations submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 5, 1891. }

Mr. Speaker:

Your committee, consisting of the Multnomah delegation, to whom was referred house bill No. 274, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion, the report was adopted, the bill considered engrossed and passed to third reading.

On motion of Mr. McCoy, the house resolved itself into committee of the whole, for further consideration of house bill No. 248.

Mr. Barrett in the chair.

The committee rose at 12 M., and presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 5, 1891. }

Mr. Speaker:

Your committee of the whole house, to whom was referred house bill No. 248, beg leave to report that they have had the same under consideration, and would respectfully report progress and ask for further time to consider said matter.

W. N. BARRETT,
Chairman.

On motion, the report was adopted.

Mr. Gambee moved that when the house convene at 2 o'clock P. M., it again resolve itself into committee of the whole for further consideration of house bill No. 248.

Motion carried.

On motion of Mr. Manning, house bill No. 254 was recalled from the printer and referred to the committee on wagon road appropriations.

On motion of Mr. McCoy, the house adjourned.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 5, 1891. }

The house was called to order at 2 o'clock P. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Fox, Furry, McCoy, Montgomery, Morey and Stewart.

Mr. Fox was, on motion, excused.

On motion, the following gentlemen, ex-members of the legislature, were invited to seats within the bar of the house: Hons. W. D. Fenton and John Q. Wilson of Marion county; Mr. Holmes of Polk county; also Hon. L. R. Webster, judge of the first judicial district of this state.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, Oregon, }
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 38, a bill for an act to assent to the purpose of the grants of congress, under the acts of congress, approved July 2, 1862, and August 30, 1890, for the benefit of colleges of agriculture and the mechanic's arts, and to designate the officer to receive said grants, and to appropriate money for the payment of the balance due on the completion and equipment of buildings for the state agricultural college, for which appropriations were made by the act approved February 18, 1889, and to appropriate moneys for the erection and furnishing of a building for the experiment station of said state agricultural college, and for a students' hall and other buildings for said college.

Whereas since the last session of the legislative assembly of the state of Oregon, namely, on August 30, 1890, an act of congress was passed and approved by which the following sums were appropriated, to be paid as in said act provided, to each state and territory for the more complete endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts then established, or which might thereafter be established, in accordance with an act of congress approved July 2, 1862, namely, the sum of fifteen

thousand dollars for the year ending June 30, 1890, and an annual increase of the amount of such appropriation thereafter for ten years by an additional sum of one thousand dollars over the preceding year and the annual amount thereafter to be paid to each state and territory to be twenty-five thousand dollars, to be applied only to instruction in agriculture, the mechanic arts, the English language, and the various branches of mathematical, physical, natural and economic science, with special reference to their applications in the industries of life, and to the facilities for such instruction; and by section 2 of such act it was further provided that the sum thereby appropriated should be paid annually on or before the thirty-first day of July of each year by the secretary of the treasury upon the warrant of the secretary of the interior out of the treasury of the United States to the state or territorial treasurer, or to such officer as should be designated by the laws of such state or territory to receive the same. The grants of moneys authorized by said acts being made subject to the legislative assent of the several states and territories to the purpose of said grants.

Whereas by section 3 of said act of congress it was, among other things, provided that no portion of said moneys should be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation or repair of any building or buildings; and

Whereas it is necessary under said act of congress that the legislative assembly of the state of Oregon should declare its assent to the purpose of said acts and designate the college to receive the same and also designate the officer to whom the annual appropriation under said act should be paid by the secretary of the treasury; and

Whereas to fulfill the purposes for which the state agricultural college of Oregon was organized under the act approved February 11, 1885, and the acts amendatory thereof, and is now being carried on, and in order to enable such college to make full, proper and beneficial use of the further sums annually receivable under said act of congress, approved August 30, 1890, it is necessary to provide said college with a separate building for the use of the experiment station connected therewith, as a department of the same, and also with a new and convenient building for use as a students' hall and dormitory, and also with a dairy and other appliances for experimental and practical use in connection with dairying; and

Whereas the sum of \$30,000 appropriated, among other things, for the purchase of land and for the erection and furnishing of buildings in connection with the state agricultural college, under the act of the legislative assembly of the state of Oregon, approved February 18, 1889, has proved inadequate for the purposes of said act.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. McCoy, the house resolved itself into committee of the whole for further consideration of house bill No. 248.

Mr. Barrett in the chair.

The committee rose at 5 P. M. and presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 5, 1891. }

Mr. Speaker:

Your committee of the whole house, to whom was referred house bill No. 248, beg leave to report that they have had the same under consideration, and would respectfully report progress, and would ask for further time to consider said matter.

W. N. BARRETT,
Chairman.

On motion, the report was adopted.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, Oregon, }
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 178, a bill for an act to amend an act entitled an act declaring what shall constitute the irreducible school fund of this state, and to provide for its investment, approved February 21, 1887, and to repeal section 2722 of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 112, a bill to encourage more thorough preparation of teachers for public-school work in the state of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the house amendments to senate bill No. 57.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the house amendments to senate bill No. 81.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the house amendments to senate bill No. 31.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the house amendments to senate bill No. 139.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891.

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the house amendments to senate bill No. 143.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house joint memorial No. 11.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

Mr. Gambee moved that when the house convene at 10 o'clock to-morrow forenoon, it resolve itself into committee of the whole for further consideration of house bill No. 248.

Motion carried.

On motion of Mr. Hall, the house adjourned to meet at 7:30 P. M.

EVENING SESSION.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 5, 1891. }

The house was called to order, Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Armstrong, Baker,

Botkin, Fox, Littig, McCracken, Meussdorffer, Montgomery, Morey, Myer, Stewart and Thomas.

On motion, the sergeant-at-arms was instructed to proceed to the room of the committee on judiciary and bring in absent members.

In a short time that officer appeared, accompanied by the absent members.

On motion, Messrs. Myer and Baker were excused.

Mr. Moor of the Benton county delegation made the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 5, 1891. }

Mr. Speaker:

Your committee consisting of the Benton county delegation, to whom was referred house bill No. 178, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

In section 20, line 107, of printed bill, insert after the word "streets": "Provided the city of Newport waives all right to lay out streets or alleys over or across any land not plotted into lots or blocks at the time of the passage of this act."

C. E. MOOR,
Chairman.

On motion, the report and amendment were adopted.

By unanimous consent house bill No. 233 came on for a second reading.

Mr. Welch moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Barrett, Blundell Botkin, Butler, Coleman, Crook, Durham, Fox, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—51.

Nays—None.

Absent—Messrs. Armstrong, Baker, Dustin, Furry, Hall, Littig, Montgomery, Myer and Stewart—9.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Welch, the bill was referred to the special committee on wagon road appropriations with leave to report at any time.

The committee on wagon road appropriations reported as follows:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 5, 1891. }

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 76, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house; that the bill is meritorious, and would recommend that sections 1, 3 and 5 be amended so as to read two thousand five hundred instead of five thousand.

W. SINCLAIR,
A. H. CROOK,
Chairmen.

On motion, the report and amendment were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 5, 1891. }

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 254, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that the bill is meritorious. There is about twenty-two miles of road to be built, which will make connections between two systems of roads, one opening to the valley and the other to the coast, making a complete thoroughfare. The country through which the road remains to be built is of such a character as to make it difficult and expensive.

This report is made in consideration of the committee not reporting Mr. Stillwell's bill asking for five thousand dollars. We would

further recommend that section 1 be amended to read seven thousand five hundred instead of fifteen thousand.

W. SINCLAIR,
A. H. CROOK,
Chairmen.

On motion, the report with amendments were adopted.

By unanimous consent, Mr. Barnes introduced house bill No. 276:

"A bill for an act to aid the county of Wallowa to construct a wagon road and to appropriate money therefor."

Mr. Barnes moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Armstrong, Baker, Dustin, Fox, Littig, Montgomery, Myer and Stewart—8.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

House bill No. 276 coming on for second reading, Mr. Barnes moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—51.

Nays—None.

Absent—Messrs. Armstrong, Baker, Dustin, Fox, Hardy, Littig, Montgomery, Myer and Stewart—9.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Barnes, the bill was referred to the special committee on wagon road appropriations with leave to report at any time.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 168, a bill for an act to incorporate the city of Antelope.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 110, a bill for an act to amend sections 423 and 425, title 5, of chapter 4, of the laws of Oregon, as compiled and annotated by Wm. Lair Hill, concerning suits for the partition of real property.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 59, a bill for an act to provide the times and places of holding the circuit court in the sixth judicial district in the state of Oregon, and to repeal all acts and parts of acts in conflict with this act.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 122, a bill for an act to amend section 892 of the general laws of Oregon as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 101, a bill for an act to punish any person who shall willfully assault an officer of this state while in the lawful discharge of his duty or on account thereof.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 103, a bill for an act to authorize county courts to offer rewards for the arrest and conviction of criminals.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 161, a bill for an act to incorporate the town of Ocean Grove.

And the same are herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 56, a bill for an act to authorize contracting for transportation of the insane, idiotic and convicts while in the custody of the state, and for the transportation of the state militia.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 106, a bill for an act to amend section 2341 of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 66, a bill for an act to exempt homesteads from attachment and execution.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 170, a bill for an act entitled an act to incorporate the town of Harney.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 137, a bill for an act to incorporate the city of Roseburg, and to amend an act entitled an act to incorporate the city of Roseburg, approved October 3, 1872, and also an act entitled an act to amend an act to incorporate the city of Roseburg, approved October 19, 1880, and also an act entitled an act to amend an act entitled an act to incorporate the city of Roseburg, approved February 25, 1889.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

House bill No. 117 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Crook, Dustin, Furry, Garfield, Hall, Hardy, Hartman, Henry, Johnston, Killian, Lamson, Leeper, Manning, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—43.

Nays—Messrs. Barrett, Coleman, Durham, Gambee, Hansard, Holmes, Jennings, McAlister, Shedd and Tracy—10.

Absent—Messrs. Armstrong, Baker, Fox, Littig, Meussdorffer, Montgomery and Myer—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 173 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Crook, Durham, Dustin, Furry, Garfield, Hall, Hardy, Hartman, Henry, Johnston, Lamson, Leeper, Manning, McCall, McCoy, McCracken, Merritt, Miller, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins and Wright—41.

Nays—Messrs. Barrett, Coleman, Gambee, Hansard, Holmes, Jennings, Killian, McAlister, Minto, Shedd, Tracy, and Mr. Speaker—12.

Absent—Messrs. Armstrong, Baker, Fox, Littig, Meussdorffer, Montgomery and Mulkey [?]. [Myer]—7.

So the bill passed; and there being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 43 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Crook, Durham, Dustin, Furry, Hall, Hardy, Hartman, Henry, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—44.

Nays—Messrs. Barrett, Coleman, Hansard, Holmes, Jennings, Shedd and Tracy—7.

Absent—Messrs. Armstrong, Baker, Fox, Gambee, Garfield, Littig, Meussdorffer, Montgomery and Myer—9.

So the bill passed; and the following was substituted as the title of the act:

A bill for an act entitled an act to appropriate money to aid the county courts of Jackson and Klamath counties to construct and repair a wagon road from Eagle Point, in Jackson county, Oregon, by way of the Rogue river route, to Fort Klamath, in Klamath county, Oregon.

House bill No. 124 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Crook, Durham, Dustin, Furry, Hall, Hardy, Hartman, Henry, Johnston, Killian, Lamson, Leeper, Manning, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Snider, Starr, Stephenson, Stewart, Story, Thomas, Thompson, Weed, Welch, Wilkins, Wright and Mr. Speaker—41.

Nays—Messrs. Barrett, Coleman, Hansard, Holmes, Jennings, Shedd and Tracy—7.

Absent—Messrs. Armstrong, Baker, Fox, Gambee, Garfield, Littig, McAlister, Meussdorffer, Montgomery, Myer, Richey and Stillwell—12.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 47 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Crook, Durham, Dustin, Furry, Hall, Hardy, Hartman, Henry, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stewart, Stephenson, Story, Thomas, Thompson, Weed, Welch, Wilkins and Wright—42.

Nays—Messrs. Coleman, Hansard, Holmes, Jennings, Shedd, Tracy, and Mr. Speaker—7.

Absent—Messrs. Armstrong, Baker, Barrett, Fox, Gambee, Garfield, Littig, Meussdorffer, Montgomery, Myer and Stillwell—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 98 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Crook, Dustin, Furry, Hall, Hardy, Hartman, Henry, Johnston, Killian, Lamson, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins and Wright—41.

Nays—Messrs. Barrett, Coleman, Durham, Hansard, Holmes, Jennings, Leeper, Shedd, Tracy, and Mr. Speaker—10.

Absent—Messrs. Armstrong, Baker, Fox, Gambee, Garfield, Littig, Meussdorffer, Montgomery and Myer—9.

So the bill passed; and there being no objections, the title of the bill stood as the title of the act.

House bill No. 26 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Crook, Durham, Dustin, Furry, Hall, Hardy, Hartman, Henry, Johnston, Lamson, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins and Wright—40.

Nays—Messrs. Barrett, Coleman, Hansard, Holmes, Jennings, Killian, Leeper, Shedd, Tracy, and Mr. Speaker—10.

Absent—Messrs. Armstrong, Baker, Fox, Gambee, Garfield, Littig, Meussdorffer, Montgomery, Moore of Washington and Myer—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 141 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Crook, Dustin, Furry, Hardy, Hartman, Henry, Johnston, Killian, Lamson, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Morey, Mulkey, Paquet, Reed, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins and Wright—38.

Nays—Messrs. Barrett, Coleman, Durham, Hansard, Holmes, Jennings, Leeper, Moore of Washington, Shedd, Tracy, and Mr. Speaker—11.

Absent—Messrs. Armstrong, Baker, Fox, Gambee, Garfield, Hall, Littig, Meussdorffer, Montgomery, Myer and Richey—11.

So the bill passed; and there being no objection, the title of the stood as the title of the act.

House bill No. 68 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Crook, Dustin, Furry, Hall, Hardy, Hartman, Henry, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wright, Wilkins, and Mr. Speaker—42.

Nays—Messrs. Barrett, Coleman, Durham, Hansard, Holmes, Jennings, Moore of Washington, Shedd and Tracy—9.

Absent—Messrs. Armstrong, Baker, Fox, Gambee, Garfield, Littig, Meussdorffer, Montgomery and Myer—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 62 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Crook, Dustin, Furry, Hall, Hardy, Hartman, Henry, Johnston, Killian, Lamson, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Morey, Mulkey, Paquet, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins and Wright—39.

Nays—Messrs. Barrett, Coleman, Durham, Garfield, Hansard, Holmes, Jennings, Leeper, Moore of Washington, Shedd, Tracy, and Mr. Speaker—12.

Absent—Messrs. Armstrong, Baker, Fox, Gambee, Littig, Meussdorffer, Montgomery, Myer and Reed—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on engrossed bills presented the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 5, 1891.

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house

bill No. 76, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

House bill No. 217 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Crook, Dustin, Furry, Garfield, Hall, Hardy, Hartman, Henry, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Moor of Benton, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Welch, Wilkins and Wright—40.

Nays—Messrs. Barrett, Coleman, Durham, Hansard, Holmes, Jennings, Minto, Moore of Washington, Shedd, Tracy, and Mr. Speaker—11.

Absent—Messrs. Armstrong, Baker, Fox, Gambee, Littig, Meussdorffer, Montgomery, Myer and Weed—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 92 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Crook, Dustin, Furry, Garfield, Hall, Hardy, Hartman, Henry, Johnston, Killian, Lamson, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Morey, Mulkey, Paquet, Reed, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Welch, Wilkins, Wright, and Mr. Speaker—41.

Nays—Messrs. Barrett, Coleman, Durham, Hansard, Holmes, Jennings, Moore of Washington, Shedd and Tracy—9.

Absent—Messrs. Armstrong, Baker, Fox, Gambee, Littig [?], [Leeper], Meussdorffer, Montgomery, Myer, Richey and Weed—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The special committee on wagon road appropriations made the following report:

REPORT.

HALL OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 5, 1891. }

Mr. Speaker:

Your special committee on wagon road appropriations, to whom was referred house bill No. 39, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

After the title of the bill insert, "Be it enacted by the legislative assembly of the state of Oregon."

A. H. CROOK,
 Chairman.

The report and amendment were, on motion, adopted.

House bill No. 134 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Crook, Dustin, Furry, Garfield, Hardy, Hartman, Henry, Johnston, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Morey, Mulkey, Paquet, Reed, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Welch, Wilkins and Wright—34.

Nays—Messrs. Barrett, Coleman, Durham, Hansard, Holmes, Jennings, Killian, Lamson, Leeper, Minto, Moor of Benton, Moore of Washington, Shedd, Tracy, and Mr. Speaker—15.

Absent—Messrs. Armstrong, Baker, Fox, Gambee, Hall, Littig, Meussdorffer, Montgomery, Myer, Richey and Weed—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 60 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Crook, Dustin, Furry, Garfield, Hall, Hardy, Hartman, Henry, Johnston, Lamson, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Welch and Wright—38.

Nays—Messrs. Barrett, Coleman, Durham, Hansard, Holmes, Jennings, Killian, Leeper, Moore of Washington, Shedd, Tracy, and Mr. Speaker—12.

Absent—Messrs. Armstrong, Baker, Fox, Gambee, Litting, Meussdorffer, Montgomery, Myer, Weed and Wilkins—10.

So the bill passed; and there being no objections, the title of the bill stood as the title of the act.

House bill No. 76 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Crook, Dustin, Furry, Garfield, Hall, Hardy, Hartman, Henry, Johnston, Lamson, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Welch, Wilkins and Wright—39.

Nays—Messrs. Barrett, Coleman, Durham, Hansard, Holmes, Jennings, Killian, Leeper, Moore of Washington, Shedd, Tracy, and Mr. Speaker—12.

Absent—Messrs. Armstrong, Baker, Fox, Gambee, Littig, Meussdorffer, Montgomery, Myer and Weed—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 39 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Crook, Dustin, Furry, Garfield, Hall, Hardy, Hartman, Henry, Johnston, Killian, Lamson, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thompson, Welch, Wilkins and Wright—39.

Nays—Messrs. Barrett, Coleman, Durham, Hansard, Holmes, Jennings, Leeper, Moore of Washington, Shedd, Thomas, Tracy, and Mr. Speaker—12.

Absent—Messrs. Armstrong, Baker, Fox, Gambee, Littig, Meussdorffer, Montgomery, Myer and Weed—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion, the house adjourned.

R. R. HAYS,
Chief clerk.

FRIDAY, FEBRUARY 6, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 6, 1891. }

The house was called to order, Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Fox, Littig, McAlister, McCoy, Montgomery and Moore of Washington.

The journal of yesterday was read and duly approved.

Messrs. Fox and Littig were excused on account of sickness.

Messrs. Hardy and Killian were excused until next Monday.

Hon. Jonathan Bourne of Portland was, on motion, invited to a seat within the bar of the house.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 192, a bill for an act to provide for holding primary elections and regulating the manner of conducting the same, and to prevent frauds and punish crimes at such elections in cities of two thousand five hundred inhabitants or more.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Miller moved that senate bill No. 192 be read the first time by title under suspension of the rules.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Butler, Coleman, Crook, Dustin, Furry, Gambee, Garfield, Hansard, Hartman, Henry, Killian, McAlister, McCall, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Myer, Mulkey, Paquet, Shedd, Snider, Starr, Stephenson, Tracy, Weed. and Mr. Speaker—29.

Nays—Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Durham, Hall, Jennings, Johnston, Lamson, Leeper, Manning, Mc-

Craken, Moore of Washington, Morey, Reed, Richey, Stewart, Stillwell, Story, Thomas, Thompson, Welch, Wilkins and Wright—25.

Absent—Messrs. Fox, Hardy, Holmes, Littig, McCoy and Montgomery—6.

So the motion was lost.

On motion of Mr. Gambee, the house resolved itself into committee of the whole on house bill No. 248.

Mr. Barrett in the chair.

The committee rose at 12 M., reported progress to the house, and asked for further time in which to offer the complete report, which would be ready at the opening of the afternoon session.

Report adopted.

On motion, the house adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

The house was called to order at 2 o'clock P. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Dustin, Hall, Hardy, Killian, Littig, McCoy, McCracken, Montgomery and Morey.

Mr. Barrett, chairman of the committee of the whole, presented the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 6, 1891.

Mr. Speaker:

Your committee of the whole house, to whom was referred house bill No. 248, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line 11, section 2, strike out the word "thereof" and insert in lieu of the same "of the property."

AMENDMENT.

In line 28, section 2, strike out the comma and the word "or" after "satisfaction," and insert the word "on."

AMENDMENT.

Strike out the words "wheresoever they may be," in line 2, section 3.

AMENDMENT.

Strike out the words "whether at home or abroad," in line 2, section 3.

AMENDMENT.

Strike out the words "either" and "without," in line 4, section 3.

AMENDMENT.

Insert in line 14, section 3, after the word "state," the following clause: "or upon lands claimed by any railroad company or other corporation and sold by them under contract."

AMENDMENT.

In line 2, section 4, insert the words "exempt and" before the word "active"; and from line 3, section 4, strike out the word "next."

AMENDMENT.

In line 1, section 7, strike out the words "reside and."

AMENDMENT.

In line 5, add the words "or more" after the word "one," and the letter "s" to the word "book."

AMENDMENT.

Substituting the following for section 10:

Section 10. *Where Property Shall Be Listed.* Real property shall be assessed and taxed in the district where the same is situated; personal property (except shares in incorporated banks, live stock, merchandise and property used in manufactories), in the precinct and school and road districts where the owner resides; live stock, merchandise and property used in manufactories, in the county and school and road districts where the same may be on the first day of April of each year. Shares in incorporated banks shall be listed and assessed as hereinafter provided in this act.

AMENDMENT.

In line 3, section 16, after the word "found," insert the following:
"and the assessor may demand security for the tax."

AMENDMENT.

Add to subdivision thirty-second of section 24, after the last word
"or," "in any corporation."

AMENDMENT.

From section 24, subdivision forty-first, strike out the words "and
sheep."

AMENDMENT.

From line 3, section 27, strike out the word "may" and insert the
word "must."

AMENDMENT.

Add to section 29, after the last word:

"Providing that money, notes, accounts, stocks and merchandise,
bonds, mortgages, lands and live stock shall not be valued for tax-
ation higher or lower in proportion to its real value than other
property, nor shall they be so valued as between such species of
property respectively."

AMENDMENT.

Further adding to section 29, the following:

"And any assessor not complying with the provisions of this sec-
tion, shall be guilty of a dereliction of official duty, and the grand
jury of each county shall take cognizance of all complaints brought
before them by any tax payer, and upon conviction of such derelic-
tion, said assessor shall be punished by a fine of not less than twenty-
five dollars and not more than five hundred dollars."

AMENDMENT.

In line 3 of section 37, after the word "age," insert "except active
and exempt volunteer firemen and indigent or wounded soldiers of
the rebellion."

AMENDMENT.

Add to section 43, after the last word thereof, the following:

"All real property claimed by railroad companies by grant, con-

veyance or otherwise, and upon which some condition precedent is to be performed, shall be considered as an estate in real property, and the assessor shall assess all the right, title interest and estate the said companies may have in said lands."

AMENDMENT.

Strike out all of subdivision 4 of section 45, after the word "receivable" in line 12, and insert the word "and" before the word "accounts" in line 12.

AMENDMENT.

Strike out all of subdivision 9 of section 45.

AMENDMENT.

In line 29 of subdivision 10, section 45, strike out the words "and tenth" and the letter "s" from "items."

AMENDMENT.

Strike out all after the word "act" in line 30, subdivision 10, and the first two words of line 31, said subdivision.

AMENDMENT.

In line 1, section 46, change the figures "44" to "45."

AMENDMENT.

In line 14, section 47, strike out the word "and" and insert a comma, and after the word "fund" in said line 14, insert the following: "and undivided profits."

AMENDMENT.

After the last word of line 2, section 51, insert the following: "all street railways."

AMENDMENT.

Amending section 52 by substituting the following for the first nine lines of the section:

Section 52. Insurance companies not organized under the laws of this state must pay on gross earnings. Every insurance company not organized under the laws of this state and doing business herein, shall, on or before the first day of April, 1891, and on or before the

first day of April in each year thereafter, report to the secretary of state a statement of the gross amount of all receipts, whether in money or notes, received or accruing, from business transactions in the state of Oregon on account of insurance premiums for the preceding calendar year, and shall deduct therefrom the licenses now required by law, the truth of which statement shall be verified under oath by the president, secretary, manager, director, general or other agent or attorney in this state of such company.

AMENDMENT.

In section 51, after line 6, insert: "When the amount received by such telegraph or telephone company is for transmitting messages between terminals in this state, such amount shall be deemed gross receipts, within the meaning of this act; and when the amount received by such telegraph and telephone company is for such service between terminals, one of which is in this state, so much of said amount received that the number of miles of wire in this state bears to the whole number of miles of wire shall also be deemed gross receipts within the meaning of this act; such gross receipts shall include all sums earned or charged of the business of the preceding year, whether actually received or not. At the time of delivering such statement to the secretary of state such company shall pay to the state treasurer three per centum of such gross receipts."

AMENDMENT.

In section 53, line 23, strike out the word "three" and insert the word "one."

AMENDMENT.

In line 31, section 53, after the words "real property," insert the following: "including mortgages, deeds of trust, and other obligations deemed land by this act."

AMENDMENT.

In line 12, section 54, after the word "property," insert the following: "including mortgages, deeds of trust, and other obligations deemed land by this act."

AMENDMENT.

In line 1, section 55, insert the words "person or" after the word "every."

AMENDMENT.

In line 2, section 56, substitute for the numbers therein the following: "49, 50, 51, 52, 53, 54 and 55."

AMENDMENT.

In lines 3 and 12, section 56, the words "state treasurer" to be stricken out, "secretary of state inserted in lieu thereof."

AMENDMENT.

In line 3, section 88, strike out all after the word "laws."

AMENDMENT.

Strike out all of line 4 and all of line 5, section 88, to and including the word "year."

AMENDMENT.

In line 3, section 91, add after the word "court" the clause, "and by posting at least one notice in each precinct in the county."

AMENDMENT.

In line 2, section 92, after the word "coin," insert the clause, "or other lawful money."

AMENDMENT.

Amend section 102 by substituting the following:

Section 102. *Sheriff Discovers Property not Assessed, he shall Assess Same.* If at any time the sheriff shall discover that any property in his county has not been assessed for any year, it shall be his duty to forthwith place the same on the assessment roll for the precinct where the same is taxable, and value and assess the same at the same rate that other property was assessed for said year, and require and enforce the payment of the tax in the same manner that other taxes are collected; *provided*, that before said assessment shall be deemed final, such sheriff shall notify such taxpayer, in person or by letter deposited in the postoffice and addressed to the last known postoffice address of said taxpayer, that his property has been assessed at an amount stated; and if his address is unknown, then by publishing the same in any newspaper published in his county, or by posting the same in three public places in said county, which said notice shall direct said person to appear before the county court

at its next regular term, to show cause why said assessment shall not be final as made; thereafter the sheriff shall collect such taxes as assessed by him or as equalized by the county court.

AMENDMENT.

In line 17, section 128, strike out the words "unoccupied property" and insert the words "unknown owners."

AMENDMENT.

In line 18 insert after the word "property" the following: "and the occupier thereof shall be notified."

AMENDMENT.

Strike out the word "state" after the word "of" in line 6, section 131.

AMENDMENT.

Add to section 166 the following: "the term 'county clerk' whenever used in this act, shall be construed to include clerk of the county court."

AMENDMENT.

Amend section 168 by inserting between the words "be" and "mandatory" in line 2 the words "directory and not."

AMENDMENT.

That section 90 be amended by adding thereto the following: "except in the counties of Grant, Josephine, Benton, Douglas, Clackamas, Sherman, Clatsop, Columbia, Coos, Curry, Washington, Yamhill and Tillamook, where the sheriff shall receive two per centum of all moneys collected by him as tax collector."

AMENDMENT.

Amend section 169 by substituting the following:

Section 169. *Repealing section.* That all of chapter 17, except section 2751 thereof, of Hill's annotated laws of Oregon, be and the same is hereby repealed; also, that all of sections 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2342, 2344, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, and subdivisions 29 and 23 of section 2602, subdivisions 3 and 4 of section 2619, sections 2620, 2621, 2643 and 3594 of Hill's annotated laws of Oregon, be and the same are hereby

repealed; also an act to amend section 2757, title 3 of chapter 17 of the laws of Oregon, as compiled by W. Lair Hill, passed February 21, 1889; also an act entitled an act to provide assessment blanks for school district clerks, approved February 25, 1889; also an act to amend section 2797 of title 6 of chapter 17 of the laws of Oregon, as compiled and annotated by W. Lair Hill, approved February 25, 1889; also an act to amend section 2621 of the general laws of Oregon as compiled and annotated by W. Lair Hill, approved February 25, 1889, be and each of the said acts are hereby repealed; also section 4 of an act approved February 25, 1889, found at page 188, laws of 1889, be and the same is hereby repealed.

AMENDMENT.

For the title of the bill substitute the following:

A bill for an act to provide for the assessment and collection of taxes, and to repeal all of chapter 17, except section 2751 thereof, of Hill's annotated laws of Oregon; also, all of sections 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2342, 2344, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449 and subdivisions 29 and 23 of section 2602, subdivisions 3 and 4 of section 2619, sections 2620, 2621 and 2643 of Hill's annotated laws of Oregon; also an act to amend section 2757 of title 3 of chapter 17 of the laws of Oregon, as compiled and annotated by W. Lair Hill, passed February 21, 1889; also an act entitled an act to provide assessment blanks for district school clerks, approved February 25, 1889; also an act to amend section 2797 of title 6 of chapter 17 of the laws of Oregon, as compiled and annotated by Wm. Lair Hill, approved February 25, 1889; also an act to amend section 2621 of the general laws of Oregon, as compiled and annotated by W. Lair Hill, approved February 25, 1889, and to repeal section 4 of an act approved February 25, 1889, to amend section 4085 of title 1, chapter 76, of the laws of Oregon, compiled and annotated by W. Lair Hill, and to repeal all other acts or parts of acts and all laws inconsistent with this act.

AMENDMENT.

Amend section 6, line 2, by inserting "March 1, 1892," for "March 1, 1891."

AMENDMENT.

From lines 49 and 50, section 2, strike out the words "without reference to any such security," and insert in lieu thereof "as if such security was taxable."

AMENDMENT.

Amend section 56 by substituting therefor the following:

Section 56. *Delinquencies of Companies and Penalties.* If any person, company or corporation mentioned in sections 51, 52, 53, 54 and 55 of this act shall neglect or fail to pay the amount of tax charged in this act, it shall be the duty of the secretary of state to cause to be instituted, in the name of the state of Oregon, a suit in any court of competent jurisdiction to recover the penalty provided for, together with costs and disbursements of said suit, which said moneys, so collected, shall be then paid to the state treasurer.

AMENDMENT.

Strike out section 163.

AMENDMENT.

Amend section 74 by striking out all of line 16 after the word "board," and the whole of line 17.

AMENDMENT

In line 2, section 54, insert "1892" where "1891" occurs.

AMENDMENT.

In line 6, section 55, insert "1892" where "1891" occurs.

AMENDMENT.

In line 8, section 53, insert "1892" where "1891" occurs.

AMENDMENT.

In line 3, section 52, insert "1892" where "1891" occurs.

AMENDMENT.

Strike out section 18.

AMENDMENT.

Strike out all of section 170 and substitute the following: "This act shall take effect and be in force from and after January 1, 1892."

AMENDMENT.

Adopt the following substitute for section 18:

Section 18. *Deduction of Indebtedness.* There shall be no deduc-

tion allowed on account of indebtedness, except as in this act provided.

AMENDMENT.

Amending sections 51, 52, 53, 54 and 55 so as to make the rate per cent to paid by the several persons or corporations therein mentioned, uniformly one per cent.

W. N. BARRETT,

Chairman of the committee of the whole house.

Mr. Barrett moved the adoption of the report and amendments.

Mr. Jennings moved to amend by laying the rept and house bill No. 248 on the table.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Coleman, Crook, Garfield, Hansard, Henry, Holmes, Jennings, Leeper, McCall, Merritt, Miller, Myer, Shedd, Snider, Starr, Stephenson, Thompson and Wilkins—20.

Nays—Messrs. Armstrong, Barrett, Botkin, Durham, Fox, Furry, Gambee, Hall, Hartman, Johnston, Lamson, Manning, McAlister, McCracken, Meussdorffer, Minto, Moore of Washington, Mulkey, Paquet, Reed, Richey, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wright, and Mr. Speaker—30.

Not voting—Mr. Blundell—1.

Absent—Messrs. Butler, Dustin, Hardy, Killian, Littig, McCoy, Moor of Benton, Montgomery and Morey—9.

The motion to lay on the table was lost.

The motion to adopt the report and amendments was carried.

Messrs. Morey and McCoy were excused by the house.

Mr. Gambee moved that final consideration of house bill No. 248 be made special order for Tuesday, February 10, at 2 o'clock P. M., and in the meantime that the bill as amended be engrossed and printed.

Motion carried.

The following messages were received from the senate and read:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

February 6, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 9, protecting title of owners of floating logs and lumber.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 8, to protect employes and laborers in their claims for wages.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 128, a bill for an act to amend sections 1 and 2 of an act entitled an act to fix the salary of the assessor of Multnomah county, Oregon, approved February 4, 1887.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 91, a bill for an act relating to the lending of money by co-operative building and loan corporations only to their own stockholders.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate joint resolution No. 6 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 94, a bill for an act for the relief of T. G. Harkins.

Whereas the Washington monument association in the year 1881 notified the then governor of the state of Oregon that the governors of the several states were requested to furnish a suitable stone, cut and prepared to be placed in the Washington monument at the city of Washington, D. C.; and

Whereas such governor did call upon Thomas G. Harkins to furnish such stone, with the assurance that the legislative assembly would no doubt pay him therefor; and

Whereas said Harkins did at the expense of \$400 secure and prepare such stone, but the legislative assembly, without notice to said Harkins, afterwards employed one Woods to furnish such stone, who proceeded to furnish a stone for that purpose, which has left the one prepared by Harkins upon his hands and nearly valueless.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 37.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 225.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 197, a bill for an act to amend an act to incorporate the town of Brownsville, in Linn county, state of Oregon, and to repeal all acts or parts of acts in conflict therewith.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 71.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bill No. 208.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891.

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bill No. 13.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bill No. 273.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 193, an act to incorporate Baker City, Baker county, and state of Oregon, and to repeal all prior acts to incor-

porate Baker City, in Baker county, state of Oregon, and the amendments thereto.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 219.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 181.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 163, a bill for an act to incorporate the city of North Brownsville, in Linn county, state of Oregon, and repeal all acts or parts of acts in conflict therewith.

And the same are herewith returned to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 35, a bill for an act to define the qualification of voters at school elections in districts with a population of one thousand and upwards.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 194, to amend sections 4, 5 and 6 of chapter 2 of an act to incorporate the city of La Grande in the county of Union and state of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 100, a bill for an act entitled an act to incorporate the city of Portland.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 198, a bill for an act to incorporate the town of North Yamhill, in Yamhill county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 126.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 202, a bill for an act to amend section 2 of article 4 of an act to incorporate the town of Jacksonville, approved October 19, 1860.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has

passed senate bill No. 25, a bill for an act entitled an act to incorporate Prairie City, in Grant county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 195, an act to incorporate the city of Forest Grove, and to repeal an act entitled an act to incorporate the town of Forest Grove, in the county of Washington, and to repeal all acts and parts of acts in conflict therewith, approved February 25, 1885.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 13, a bill for an act to incorporate the town of Lafayette, Yamhill county, state of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 182, a bill for an act to incorporate the city of

Jefferson, in Marion county, state of Oregon, and to repeal all acts in conflict therewith.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 108 with amendments herewith attached.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 4, 1891. }

Mr. President:

Your committee on corporations, to whom was referred house bill No. 108, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out the words "the ship's channel of Isthmus slough," in lines 21 and 22 of page 3 of engrossed bill, and insert the following: "a point east of the north boundary line of Ohio avenue; thence west to the east boundary line of Railroad avenue; thence in a northerly direction along the east boundary line of Railroad avenue to where the same intersects the south boundary line of Queen avenue; thence east by the ship's channel of Isthmus slough."

S. B. EAKIN, JR.,
Chairman.

On motion of Mr. Garfield, the house concurred in the senate amendments to house bill No. 108.

The speaker announced that he was about to sign senate joint resolution No. 6.

The speaker announced that he had so signed senate joint resolution No. 6.

On motion of Mr. Story, it was ordered that 500 copies of house bill No. 248, on assessment and taxation, be printed instead of the usual number.

By unanimous consent, Mr. Armstrong introduced house bill No. 277:

"A bill for an act to amend section 6 of an act entitled an act to incorporate the city of Salem, approved October, 1862, as amended by an act entitled an act to amend an act entitled an act to incorporate the city of Salem, approved October, 1862, approved October 28, 1874, as amended by an act entitled an act entitled an act to amend sections 6, 8, 9, 16 and 23 of the charter of the city of Salem, and to provide for the improvement and extension of streets, and for the construction and repair of sidewalks, sewers and drains in said city, and to provide for the performance of the duties of recorder in case of his disability, approved February 16, 1887, as amended by an act entitled an act to amend sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 18 of an act entitled an act to incorporate the city of Salem, and all acts amendatory thereof, otherwise known as the charter of said city of Salem, approved October, 1862, and sections 27 and 36 of an act supplemental thereto, approved February 16, 1887, filed in the office of the secretary of state February 25, 1889."

Mr. Armstrong moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Hardy, Killian, Littig, Montgomery and Morey—5.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

Mr. Armstrong moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Hardy, Killian, Littig, Montgomery and Morey—5.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Minto, the bill was referred to a committee consisting of the Marion county delegation with leave to report at any time.

Mr. Minto introduced house bill No. 278:

“A bill for an act to regulate freight charges on certain railroad lines within the state of Oregon.

“Inasmuch as commercial traffic via the pass of the Columbia river through the Cascade mountains, known as the Oregon Railway and Navigation Company’s lines, is now and has for many years been a monopoly, which has collected excessive charges, and there seems no likelihood of the producing interests of the state getting relief by competitive carriers for years to come; therefore, be it enacted by the legislative assembly of the state of Oregon.”

Mr. Coleman moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Hardy, Killian, Littig, Montgomery and Morey—5.

So the rules were suspended, the bill read the first time by title and passed to second reading without further question.

Mr. Coleman moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Hardy, Killian, Littig, McCoy, Montgomery and Morey—6.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Minto, the bill was referred to a special committee of three of this house, of which Mr. McCracken is to be chairman.

Mr. Baker introduced house bill No. 279:

“A bill for an act to amend section 2 of an act entitled an act to incorporate the city of Salem, approved October, 1862, as amended by an act entitled an act to amend an act entitled an act to incorporate the city of Salem, approved October, 1862; approved October 28, 1874.”

Mr. Baker moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Hardy, Killian, Littig, McCoy, Montgomery and Morey—6.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

Mr. Baker moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Hardy, Killian, Littig, McCoy, Montgomery and Morey—6.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Baker, the bill was referred to the committee on corporations.

Mr. Butler introduced house bill No. 280:

“A bill for an act to amend section 3609, Hill’s annotated laws of Oregon.”

Mr. Butler moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stewart, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Hardy, Killian, Littig, McCoy, Montgomery and Morey—6.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

Mr. Butler moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington,

Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Hardy, Killian, Littig, McCoy, Montgomery and Morey—6.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Butler, the bill was referred to the committee on judiciary.

The committee on federal relations presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 5, 1891. }

Mr. Speaker:

Your committee on federal relations, to whom was referred house resolutions and concurrent resolutions, etc., in regard to improvement of the Columbia river at the dalles, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following report:

Your committee, to whom these several papers were referred, feel the great responsibility involved, and in order to get all the information obtainable in conformity with an order of the house, we at once telegraphed to the Oregon delegation in Washington, D. C., care of Hon. J. H. Mitchell.

The answer to this telegram was foreshadowed in the press dispatches as published in the *Oregonian* of the 25th. On Monday morning we received the following dispatch to our telegram herewith submitted:

Oregon Delegation in Congress, care of Hon. John H. Mitchell, Washington, D. C.:

What action shall legislature take in regard to Columbia boat railway or common railroad at the dalles? Answer by wire. Order of house.

ARMSTRONG.

WASHINGTON, D. C., January 24, 1891.

Hon. Wm. Armstrong, House:

Responding to your dispatch twenty-second, regarding improve-

ments Columbia river, we have to-day mailed you letters giving our views on subject.

JOHN H. MITCHELL.

UNITED STATES SENATE,
WASHINGTON, D. C.,
January 24, 1891. }

Hon. Wm. Armstrong, Member House of Representatives, Salem, Oregon:

DEAR SIR:—Responding to your telegram of recent date, we beg to submit the following:

In our opinion, there is no chance for the passage of the boat railway bill in the house, so amended as to provide for a portage railroad. We do not believe congress will enter upon the construction of portage railroads. We do not think a portage road would be adequate or satisfactory relief to commerce. Even could congressional aid be secured for such a road, the commencement of a boat railway, or of a canal and locks, or any other permanent and adequate improvement would be indefinitely postponed.

We believe that at the next session we will be able either to secure an appropriation in a separate bill of an amount sufficient to construct and complete a boat railway, or otherwise secure a sufficient appropriation in the river and harbor bill to make substantial commencement of the work of a boat railway. We have exerted and shall continue to exert our best energies in connection with efforts for appropriations for other river and harbor improvements in different sections of our state, to secure an appropriation for an adequate and permanent improvement at the dalles of the Columbia. We believe, after a thorough investigation, that the boat railway is, under all the circumstances, the proper permanent improvement. We shall feel instructed, however, in the matter by any resolution passed by the legislature on the subject and do not feel at liberty, as the delegation is divided in opinion, to make any recommendation as to what the legislature in our opinion ought to do, further than may be indicated by the foregoing.

Should, however, the legislature adopt a resolution favoring a portage road, the contingency ought to be provided for, that in event the house refuses to consider the pending bill, or should congress refuse an appropriation for a portage road at this session, that the delegation will not feel instructed at another session from attempting

to secure an appropriation for a boat railway, both by separate bill and by an appropriation in the river and harbor bill.

Very respectfully, your obedient servants,

J. N. DOLPH,
JOHN H. MITCHELL.

HOUSE OF REPRESENTATIVES, }
WASHINGTON, D. C., }
January 24, 1891. }

Hon. Wm. Armstrong, Salem, Oregon.

MY DEAR SIR:—I have read your recent telegram to our delegation as to the subject of overcoming the obstacles to navigation in the Columbia river between The Dalles and Celilo, and as we have concluded to address you individually, in reply I beg to say: That the engineer department has reported to congress three plans: First, a single-track portage railway with terminal inclines, and estimated the cost at \$431,500; secondly, a boat railway with hydraulic lifts, estimated to cost \$2,860,356; thirdly, a canal and locks, estimated to cost \$3,754,355. As to the first, the engineer board report that the single portage road is the quickest and cheapest solution of the existing difficulties. This is, however, only recommended as a temporary relief, but it can be also of great convenience in the construction of future permanent works, such as a boat railway with its hydraulic lifts, or even of a canal and locks. Its length will be about eight miles. It can be built in one year, if the money can be obtained. Its capacity will be limited to about eight hundred tons per day. The cost of operating, like that of boat railway or canal, will be borne by the government, so that the transshipment expenses at terminal points does not fall directly upon the producer or shipper. Will this plan for temporary relief be adequate for the requirements of commerce on the Upper Columbia for some years? Is temporary and immediate relief required, pending legislation for permanent works, as boat railway or canal and locks, as well as during the completion of such works? These are questions which address themselves more directly to those members representing Eastern Oregon constituencies.

As to the plan of a boat railway as proposed in the senate bill, that is designed to meet the requirements of future commerce. It is to be permanent. If we could secure now the entire sum, or one-fourth of the money estimated to complete the work, I should heartily prefer to continue our efforts for the boat railway, as it is strongly rec-

ommended by the engineer board. With such appropriations it could be ready for traffic within a few years, and the commerce of the Upper Columbia with such assurance might forego the demand for temporary relief. A boat railway is not preferred to canal and locks because of any superior advantages as to transportation, or cheapness in operating, but because it can be constructed cheaper than the other by at least \$894,000 according to Major Handbury's estimates for canal and locks construction. Boats are to be lifted from the river at the foot of the Dalles rapids and returned to the river at the head of Celilo falls. At each terminus there is to be a hydraulic lift. Less time is required to transfer a boat with its cargo from one waterway to another than by the portage road or canal and locks method. It is estimated that the transfer can be made in one hour and a half, and a boat with a cargo of 600 tons can be so transferred. The Washington side of the Columbia is proposed as the site for these operations.

As to the third plan—the canal and locks—the chief of engineers says: "My views upon these projects are that ordinarily the best method for passing such obstructions as exist in the Columbia at The Dalles is by means of locks and canals." He hesitates to recommend this plan because of the cost and other difficulties.

Our delegation all agree that the future of the great Columbia commerce which is to pass the Dalles obstructions merits a work that shall be adequate, substantial and lasting. We think the general government can well afford to be generous in its plans and its appropriations for these works. The Columbia is the nation's second greatest river, and these obstructions will soon be the last of importance to overcome in a continuous navigation of more than 800 miles inland from the sea. I feel confident in asserting that in view of the present increasing appreciation by congress of the nation's navigable waterways, it will in a few years be less difficult to obtain one million dollars in annual appropriations for such great works as ours than in the recent past it has been to obtain one hundred thousand dollars. Appropriations for the works on the Sue St. Marie, Hay Lake channel, and at Galveston, Baltimore and Philadelphia, are now taken out of the regular river and harbor bill by provisions inserted in the last bill, authorizing contracts for the entire works, and now the annual appropriation bill will contain large items for each of these improvements. It will be observed, however, that these concessions were not obtained by special bills, such as our senate boat-railway bill, but were made a part of the great bill for all the rivers and harbors, and in this way obtained an advantage possessed by no special or single bill appropriating a large sum. The senate at last session passed a single bill appropri-

ating—like similar senate bills for the Columbia now before us—the entire sum for completion of such works as the Sue St. Marie and Galveston, but they could not pass the house in that shape, and only succeeded when provided for in the general river and harbor bill, as I have indicated. This bill owes its strength to the multitude of interests centering in it from all portions of the nation, and, as a consequence, the efforts of many members to pass it.

It is our hope that in the bill of next session we shall be able to secure for the Columbia jetties, as well as the Cascade locks, similar favorable privileges as those for the Galveston and Sue St. Marie works. They will soon thereafter come to completion. These great appropriations for the Columbia disposed of it can be seen how much less difficult it will be to obtain adequate appropriations for permanent works to overcome the obstructions above The Dalles. In the senate Oregon's senior senator is a member of the commerce committee, which considers the river and harbor bill after it leaves the house, and here also, in the house committee on rivers and harbors, Oregon is also represented, so that my surest hope for satisfactory legislation for the two existing Columbia works, as well as that proposed above The Dalles, is through the next river and harbor bill. I write thus candid because the situation demands candor as well as practical results.

As to the dalles obstructions, it is just now not so much what we all so earnestly wish for, but rather what we can get. The senate bill appropriates \$2,860,356 for a boat railway with hydraulic lifts. When this measure reached the house committee the large item in it at once aroused criticism. It was remarked that the committee had been liberal to the Columbia, allowing about one million dollars for its improvement. Through several meetings, but without success, I endeavored to secure a favorable report for our boat railway project, with the \$2,860,356 appropriated by the senate. I then proposed to accept a reduced amount in order to commence the great work, and thus recognize the principle, and hoping to secure better results in a conference. The committee, however, preferred to adopt the first plan of the engineer, which provides for temporary relief, and which can be constructed the cheapest and quickest. The senate bill goes to the house modified accordingly, and if it should fortunately pass in the few weeks remaining of this session—which is now extremely doubtful—the conference committee may still agree upon the senate provision for a boat railway. In such event it may fare better before the house. Should the legislature of Oregon, however, have a preference for any special plan of relief, or for any mode of action, it will be my pleasure in co-operation with my colleagues of the delegation to

exert every effort for its accomplishment, as I have heretofore done in other measures for the Columbia river, always keeping in view the pressing necessity of commerce and the just and increasing demand of the people, especially those of Eastern Oregon, for such relief as will guarantee to them, at the earliest possible moment, a free and unobstructed river to the sea.

I am very truly yours,

BINGER HERMANN.

Your committee, after due deliberation, are of the opinion that an appropriation by congress need hardly be expected at this time, and we think it would be judicious and wise for the state of Oregon to make the necessary appropriation, sixty thousand dollars, for a portage railway at The Dalles, as provided in senate bill No. 6, section 8, which reads as follows:

Section 8. That there be and is hereby appropriated out of the general fund of the state of Oregon the sum of sixty thousand dollars from any moneys not otherwise appropriated, for the uses and purposes aforesaid, and the secretary of state be and he hereby is authorized to draw his warrant or warrants upon the state treasurer for said sum, or any part thereof, when directed to do so by the board.

We predicate our opinion on the probable impossibility of uniting with the state of Washington, as locality may be hard to overcome, and we take pleasure in recommending that the state at once assume the charge of this important work, believing as we do that the expense incurred will redound to the general welfare, and that by so doing we are relieving our fellow-citizens of the "inland empire" from the deadly grasp of unscrupulous monopolies and excessive freight charges.

All of which is respectfully submitted.

WM. ARMSTRONG,
Chairman.

W. H. LEEPER.

On motion of Mr. Armstrong, the report was adopted and ordered printed.

House resolution No. 36, which was made special order for to-day, was taken up.

Mr. Moor of Benton offered as an amendment that speakers generally be allowed five minutes, and the introducer or manager of the question ten minutes.

The amendment was adopted.

The resolution as amended was adopted.

The special committee to whom was referred house bill No. 221 presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1891. }

Mr. Speaker:

Your special committee, to whom was referred house bill No. 221, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

That in section 3, line 1, printed bill, the name of Eli Branson be stricken out and Frank Redman substituted therefor.

AMENDMENT.

That section 4 of printed bill be amended to read as follows:

Section 4. F. F. Downing and C. C. Ragsdale, of Jackson county; T. W. Van Dyke and John Wells, of Josephine county; George T. Baldwin and Charles Moore, of Klamath county; N. T. Walters and George Conn of Lake county, state of Oregon, be and they are hereby appointed and constituted a board of commissioners, to be designated and known as the First Southern Oregon district agricultural society, and that the last-named counties shall constitute the fourth district.

AMENDMENT.

That between sections 4 and 5, of printed bill, a new section be inserted (numbered 5) to read as follows, to wit: .

That G. W. Riddle and D. S. K. Buick, of Douglas county; J. Henry Schroeder and T. H. Hazard, of Coos county; N. G. Blake and Jos. Haines, of Curry county, be and they are hereby appointed and constituted a board of commissioners, to be designated and known as the Second Southern Oregon district agricultural society, and that the last above named counties shall constitute the fifth district.

AMENDMENT.

That the numbers of sections 5, 6, 7, 8, 9, 10, 11, 12 and 13 be changed to read respectively 6, 7, 8, 9, 10, 11, 12, 13 and 14.

AMENDMENT.

That section 6, line 10, of printed bill, be amended by inserting

after the words "Jackson county," the words "the commissioners of the fifth district at Roseburg, Douglas county."

AMENDMENT.

That section 12, line 3, of printed bill, be amended by inserting after the word "created," the following words: "excepting the first and second districts of Southern Oregon, to each of which there is hereby appropriated the sum of \$1,500 only, and all said sums are."

AMENDMENT.

That between sections 13 and 14, printed bill, a new section (numbered 15) be inserted to read as follows:

"When either of said Southern Oregon district boards of agriculture shall have been organized as herein provided, the treasurer of the Southern Oregon state board of agriculture shall pay, when so organized, to the treasurer of the First Southern Oregon district agricultural society four-sevenths, and to the treasurer of the Second Southern Oregon district agricultural society three-sevenths of all moneys in hands belonging to the said Southern Oregon state board of agriculture."

AMENDMENT.

That numbers of sections 14, 15 and 16, of printed bill, be changed to 16, 17 and 18 respectively.

E. O. McCOY,
Chairman.

On motion, the report and amendments were adopted.

On motion, house bill No. 99 was recommitted to the committee on claims with leave to report at any time.

The committee on engrossed bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 5, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bills Nos. 207, 113, 254 and 178, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

The committee on enrolled bills submitted the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 5, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house concurrent resolution No. 21, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman,

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 5, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house joint resolution No. 5, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house concurrent resolution No. 21 and house joint resolution No. 5.

The speaker announced that he had so signed house concurrent resolution No. 21 and house joint resolution No. 5.

Mr. McCall was excused for remainder of afternoon.

THIRD READING OF BILLS.

House bill No. 22 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Botkin, Butler, Fox, Gambee, Hall, Henry, Holmes, Jennings, Johnston, Leeper, McAlister, McCracken, Moor of Benton, Myer, Richey, Shedd, Starr, Stewart, Stillwell, Story, Thompson, Weed and Welch—24.

Nays—Messrs. Armstrong, Barrett, Blundell, Coleman, Crook, Durham, Dustin, Furry, Garfield, Hansard, Hartman, Lamson, Manning, Merritt, Meussdorffer, Minto, Moore of Washington, Mulkey, Paquet, Reed, Snider, Stephenson, Thomas, Tracy, Wilkins, and Mr. Speaker—26.

Absent—Messrs. Baker, Hardy, Killian, Littig, McCall, McCoy, Miller, Montgomery, Morey and Wright—10.

So the bill failed to pass.

House bill No. 36 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Johnston, Lamson, Leeper, Manning, McAlister, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Reed, Richey, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—45.

Nays—Messrs. Coleman, Jennings, Paquet, Shedd and Stephenson—5.

Absent—Messrs. Barnes, Hardy, Killian, Littig, McCall, McCoy, Miller, Montgomery, Morey and Wright—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Story moved to take house bill No. 17 from the table, and that consideration of the same be indefinitely postponed.

Motion carried.

House bill No. 223 was read the third time.

On motion, the bill was referred to the committee on fishing, with leave to report at any time.

Mr. Moor of Benton introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 38.

Resolved, That the special joint committee on penitentiary management be allowed on the part of the house to fix the compensation of their clerks.

Resolution adopted.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 68, amending section 3669, Hill's code, a bill

for an act entitled an act to amend section 3669 of chapter 55 of title 1 of miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

The committee consisting of the Multnomah county delegation reported as follows:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1891. }

Mr. Speaker:

Your committee, the Multnomah county delegation, to whom was referred house bill No. 118, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the accompanying amendments:

AMENDMENT.

Page 1, after the words "for an act to incorporate the city of Portland," insert the following: Be it enacted by the legislative assembly of the state of Oregon.

AMENDMENT.

Instead of section 2 insert the following: The boundaries of the city of Portland are as set forth and defined in the charters of the municipal corporations known as Portland, East Portland and Albina, as are in effect on the first Monday in June, 1891, except the boundary lines between Portland, East Portland, between Portland and Albina.

AMENDMENT.

Chapter 2, section 3, line 2, after the words "police commissioners" insert "and a board of fire commissioners."

AMENDMENT.

Section 8, line 3, insert after the word "assessor," "street superintendent."

AMENDMENT.

Strike out the word "and."

AMENDMENT.

Line 5, erase all from the word "qualified," and strike out line 6 up to the word "the" in line 7.

AMENDMENT.

Insert in line 7, between the words "the" and "attorney" the words "auditor and city," and erase the words "street superintendent" in line 7 and insert "police commissioners and fire commissioners."

AMENDMENT.

Line 11, add the words "in office."

AMENDMENT.

Section 9, line 3, substitute the word "two" for "one."

AMENDMENT.

Chapter 3, section 12, line 1, after the word "treasurer," insert "street superintendent," and erase all after the word "treasurer."

AMENDMENT.

Section 16, line 1, erase all after the word "assessor" and insert "street superintendent."

AMENDMENT.

Section 19, line 4, insert between the word "county" and "of" the word "court," and between the words "Multnomah" and the word "and" insert the word "county."

AMENDMENT.

Line 3, erase the word "county."

AMENDMENT.

Chapter 4, section 28, line 3, insert the words "or qualify" after the word "elect."

AMENDMENT.

Line 8, erase all after the word "assessor" and insert "street superintendent."

AMENDMENT.

Chapter 5, section 37, lines 42, 43, 44 and 45, erase and insert the following subdivision 7, of section 37:

7. To make regulations to prevent the introduction of contagious diseases in the city, or remove persons afflicted with such diseases therefrom to suitable hospitals provided by the city for that purpose; to secure the protection of persons and property therein, and to provide for the health, cleanliness, ornament, peace and good order of the city; to regulate the plumbing and draining of buildings, and to provide for the registration of plumbers; to appoint an officer to supervise and inspect all such plumbing and draining, with such powers as may be deemed expedient by the common council; to fix the compensation of such officer, and to prescribe his tenure of office; to make effectual such regulations as the common council may deem it expedient to pass, by providing penalties for the breach of any of the provisions thereof; to make such sanitary regulations as to the common council may seem proper.

AMENDMENT.

Section 2, line 135, after the word "erection" insert the words "or moving."

AMENDMENT.

Line 136, after the word "property" insert "or any obstruction to public travel."

AMENDMENT.

Line 141, after the word "allow" insert the word "authorize."

AMENDMENT.

Line 142, after the word "telephone" insert the words "electric light, electric railway." Erase the word "and" after the word "poles," and after the word "wires" insert "and cables."

AMENDMENT.

Line 145, after the word "wires" insert the words "and cables."

AMENDMENT.

Line 146, add "provided that nothing herein shall be construed to impair any franchise heretofore granted by the cities of Portland, East Portland and Albina, or the county court of the county of Multnomah during the term of said franchise."

AMENDMENT.

Line 149, after the word "Portland" insert the word "and."

AMENDMENT.

Chapter 6, section 42, line 1, erase all after the word "shall" excepting the word "perform."

AMENDMENT.

Chapter 7, section 47, line 3, insert "five hundred" after the word "thousand."

AMENDMENT.

Section 51, line 8, change the word "transcriptions" to "transcripts."

AMENDMENT.

Section 56, line 7, insert "per annum" after "\$2,500."

AMENDMENT.

Chapter 8, section 61, line 2, insert "one or more" after the word "council," add "s" to the word "officer."

AMENDMENT.

Line 4, insert "such judges" after the word "court." Add the words "such judges."

AMENDMENT.

Line 5, add "of Oregon."

AMENDMENT.

Section 69, line 1, change "year" to "annum."

AMENDMENT.

Section 72, line 4, insert "at the first meeting of the common council in the month of July, 1891." And line 4, erase all of the words between "be" and "three" and insert "appointed as herein-before provided."

AMENDMENT.

Line 5, change "two" to "one" after the first word "of." Change "four" to "two" after the second word "of." Change "six" to "three" after the third word "of."

AMENDMENT.

Line 6, insert "appointed" after the word "be," and strike out "general election." Insert "year" after the word "each."

AMENDMENT.

Line 7, after the word "of," change "six" to "three." After the word "is" insert "appointed" instead of "elected."

AMENDMENT.

Line 12, strike out the word "election" after the word "their" and insert "appointment except when such appointment is made to fill a vacancy, in which case he shall enter upon the discharge of his duties immediately."

AMENDMENT.

Section 83, line 51, strike out all the words after "assessed." Strike out lines 52 and 53.

AMENDMENT.

Section 84, line 2, change "view" to "report."

AMENDMENT.

Section 85, line 1, add "hereinafter." Line 2, strike out "or review" and insert "if no appeal be taken." Strike out "or decree" and insert "is rendered, if an appeal be taken."

AMENDMENT.

Line 9, after the word "warrants" insert "and the amounts respectively assessed shall be tendered to the parties entitled to the same."

AMENDMENT.

Line 11, change "appropriated" to "appropriation."

AMENDMENT.

Line 14, strike out "or review."

AMENDMENT.

Line 15, strike out "review or other proceedings in court."

AMENDMENT.

Section 87, line 6, insert the word "court" after the word "circuit."

AMENDMENT.

Section 88, line 1, substitute the word "conducted" for the word "deemed."

AMENDMENT.

Section 89, line 6, after the word "force" insert the word "the."

AMENDMENT.

Line 5, add "s" to appellant."

AMENDMENT.

Section 92, line 2, strike out the word "and" after "establishing" and insert the word "or."

AMENDMENT.

Section 106, line 3, after the word "law" insert "for the sale and collection of delinquent state and county taxes."

AMENDMENT.

Section 125, line 3, change "person" to "officer."

AMENDMENT.

Section 126, line 1, change "person" to "officer."

AMENDMENT.

Section 133, line 3, insert the word "such" after "whom."

AMENDMENT.

Section 144, line 6, add the names of C. A. Dolph and C. H. Raf-fety and strike out "E. W. Spencer."

AMENDMENT.

Section 147, line 2, insert "his" after the word "of."

AMENDMENT.

Section 154, line 10, strike out the figure "2" and insert "3."

AMENDMENT.

Section 162, line 8, strike out the words "or indebtedness."

AMENDMENT.

Line 12, after the words "premium of" insert "not exceed." Strike out all after the words "per centum."

AMENDMENT.

Line 13, strike out all the words before "all."

AMENDMENT.

Chapter 13, section 167, line 6, change "elected" to "appointed."

AMENDMENT.

Section 168, erase lines 1, 2, 3 and 4 and insert the following: There shall be appointed by the mayor, with the advice and consent of the common council, at the first meeting of the common council of the city of Portland, in the month of July, 1891, or as soon thereafter as practicable, one fire commissioner, who shall hold his office for three years and until his successor is appointed and qualified; and annually thereafter at said meeting of the common council of the city of Portland, in the month of July, it shall be the duty of the mayor of said city, with the advice and consent of the common council of the city of Portland, to appoint one fire commis-

sioner, who shall hold his office for the term of three years and until his successor is appointed, confirmed and qualified. Before entering upon their duties, each of said fire commissioners must take and file with the auditor and clerk of said city an oath of office to the following effect:

I, ———, do solemnly swear (or affirm) that I will support the constitution of the United States and of the state of Oregon, and that I will, to the best of my ability, faithfully perform the duties of fire commissioner during my continuance in said office. So help me God.

If the person affirms, instead of the last clause there shall be added: "And this I promise under the pains and penalties of perjury."

AMENDMENT.

Section 171, line 3, change the word "three" to "two."

AMENDMENT.

Section 172, line 9, add the following:

9. Two relief drivers.
10. One relief engineer.
11. One fire alarm line and repairman.

AMENDMENT.

Section 175, line 4, after the word "shall" insert the following: "be fire warden, inspector of buildings for prevention from fires, and."

AMENDMENT.

Line 5, change "fifteen" to "eighteen."

AMENDMENT.

Line 6, strike out the words between "engineers" and "hundred" and insert "who shall be fire warden and inspector of buildings for prevention of fires, shall be fifteen," and strike out the words "third and fourth."

AMENDMENT.

Line 10, change "fifteen" to "eighteen."

AMENDMENT.

Line 23, change "seven" to "eight" and "eighty" to "forty."

AMENDMENT.

Line 24, after the words "per annum," insert "The salary of the relief drivers shall be nine hundred dollars per annum. The salary of the relief engineers shall be twelve hundred dollars per annum. The salary of one fire-alarm line and repairman shall be nine hundred dollars per annum."

AMENDMENT.

Section 176, line 9, after the word "department," insert "fire boats."

AMENDMENT.

Line 15, insert "fire boats" after the word "hose."

AMENDMENT.

Section 186, strike out the word "one."

AMENDMENT.

Section 189, line 3, change "600" to "750."

AMENDMENT.

Line 4, change the figure "2" to "3."

AMENDMENT.

Section 196, line 4, change the word "last" to "lost."

AMENDMENT.

Line 15, change the first word "of" to "against."

AMENDMENT.

Line 25, add "the East Portland Water Company."

AMENDMENT.

Line 26, after the word "of," insert "the Albina Water and Light Company, and the Portland Hydraulic Elevator Company."

AMENDMENT.

Line 24, the last word erase for the word "may."

AMENDMENT.

Section 197, line 8, strike out the words "in and" after the words "proceeded in."

AMENDMENT.

Line 17, after the word "either" insert "of their."

AMENDMENT.

Section 198, line 18, strike out the words "of like names."

AMENDMENT.

Line 19, after the word "qualified" insert "to fill the offices of like character."

AMENDMENT.

Section 199, line 10, substitute the words "are hereby" for "hereby are."

AMENDMENT.

Section 200, line 5, after the words "on the" insert "first" instead of "last."

AMENDMENT.

Line 6, insert the word "June" instead of "May."

AMENDMENT.

Line 8, after the words "resident of" insert the word "the," and after the word "city" insert the word "district."

AMENDMENT.

Line 12, after the word "within" insert the word "three" instead of "five."

AMENDMENT.

Line 16, erase the words "second Monday in May" and insert "first Thursday in June."

AMENDMENT

Line 20, erase the word "now," and after the word "constituted" insert the following: "on the first Monday in June, 1891."

AMENDMENT.

Line 27, after the word "cities" strike out the word "and" and insert the word "then," and after the word "the" strike out the word "territory" and insert the word "city."

AMENDMENT.

Line 28, strike out the first two words "of each."

AMENDMENT.

Line 30, erase the word "now," and after the word "constituted" insert the following: "on the aforesaid first Monday in June, 1891."

GEO. L. STORY,
Chairman.

On motion, the report and amendments were adopted.

House bill No. 9 was read the third time, and was, on motion, recommitted to the committee on judiciary with leave to report at any time.

The committee on counties, by unanimous consent, made the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on counties, to whom was referred house bill No. 149, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JUDSON WEED,
Chairman.

On motion, the report was adopted, the bill considered engrossed and passed to third reading.

House bill No. 74 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Leeper, McAlister, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington,

Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—43.

Nays—Messrs. Crook, Dustin, Fox, Lamson, Manning, McCracken, Myer and Welch—8.

Absent—Messrs. Hardy, Killian, Littig, McCall, McCoy, Miller, Montgomery, Morey and Story—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 132 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright and Mr. Speaker—51.

Nays—None.

Absent—Messrs. Crook, Hardy, Killian, Littig, McCall, McCoy, Miller, Montgomery and Morey—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 25 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hartman, Henry, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—Mr. Hansard—1.

Absent—Messrs. Hardy, Holmes, Killian, Littig, McCall, McCoy, Miller, Montgomery and Morey—9.

So the bill passed; and the title of the bill was amended for the title of the act as follows:

"A bill for an act entitled an act to amend section 2608, title 4,

chapter 16, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, approved February 21, 1889."

House bill No. 145 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Dustin, Garfield, Hall, Holmes, Jennings, Merritt, Meussdorffer, Mulkey, Stephenson, Thompson and Wilkins—12.

Nays—Armstrong, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Fox, Furry, Gambee, Hausard, Hartman, Henry, Johnston, Lamson, Leeper, Manning, McAlister, McCracken, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wright, and Mr. Speaker—38.

Absent—Messrs. Crook, Hardy, Killian, Littig, McCall, McCoy, Miller, Montgomery, Morey and Richey—10.

So the bill failed to pass.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 213, a bill for an act to amend sections 1 and 2 of an act entitled an act to repeal sections 8 and 9 of chapter 1, title 2, of the miscellaneous laws of Oregon, as compiled by M. P. Deady and Lafayette Lane; also sections 24 and 25 of said chapter and title, and to provide clerical aid for the secretary of state, approved October 18, 1878.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 133, a bill for an act defining the duties of county officers.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

House bill No. 31 was read the third time.

On motion, the bill was recommitted to the committee on agriculture with leave to report at any time.

House bill No. 51 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Blundell, Botkin, Butler, Crook, Durham, Dustin, Furry, Gambia, Garfield, Hartman, Leeper, Moor of Benton, Moore of Washington, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Tracy, Weed, Wright and Mr. Speaker—28.

Nays—Messrs. Barrett, Coleman, Hall, Hansard, Henry, Holmes, Jennings, Johnston, Lamson, McAlister, McCracken, Merritt, Meussdorffer, Minto, Myer, Mulkey, Shedd, Thomas, Thompson and Wilkins—20.

Absent—Messrs. Armstrong, Fox, Hardy, Killian, Littig, Manning, McCall, McCoy, Miller, Montgomery, Morey and Welch—12.

So the bill failed to pass.

House bill No. 57 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Crook, Coleman, Durham, Dustin, Furry, Gambia, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Armstrong, Fox, Hardy, Killian, Littig, McCall, McCoy, Miller, Montgomery, Morey and Welch—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 130 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambia, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch Wilkins, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Armstrong, Fox, Hardy, Killian, Littig, McCall, McCoy, Miller, Montgomery and Morey—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 123 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambia, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Armstrong, Fox, Hardy, Killian, Littig, McCall, McCoy, Miller, Montgomery and Morey—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 153 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambia, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Johnston, Lamson, Leeper, Manning, McAlister, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Wilkins, Wright, and Mr. Speaker—48.

Nays—Messrs. Jennings and Weed—2.

Absent—Messrs. Armstrong, Hardy, Killian, Littig, McCall, McCoy, Miller, Montgomery, Morey and Welch—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 168 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambée, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Armstrong, Hall, Hardy, Killian, Littig, McCall, McCoy, Miller, Montgomery and Morey—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Durham was, on motion, excused until Monday afternoon, February 9th.

On motion, it was ordered that when the house adjourn it be until 7:30 o'clock this evening.

On motion, the house adjourned.

— — — — — EVENING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1891. }

The house was called to order at 7:30 o'clock, Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Hardy, Jennings, Killian, Littig, McCall, McCoy, Miller, Montgomery, Morey, Snider and Thompson.

Mr. Stewart moved to reconsider the vote by which house bill No. 11 failed to pass.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Crook, Durham, Dustin, Fox, Gambée, Garfield, Hall, Hansard, Hartman,

Henry, Johnston, McAlister, McCracken, Meussdorffer, Miller, Moore of Washington, Myer, Richey, Starr, Stewart, Stillwell, Story, Thomas, Weed, Welch, Wilkins, Wright, and Mr. Speaker—34.

Nays—Messrs. Armstrong, Coleman, Furry, Holmes, Jennings, Lamson, Leeper, Manning, Merritt, Minto, Moor of Benton, Mulkey, Paquet, Reed, Shedd, Stephenson and Tracy—17.

Absent—Messrs. Hardy, Killian, Littig, McCall, McCoy, Montgomery, Morey, Snider and Thompson—9.

So the motion to reconsider prevailed.

House bill No. 11 was read the third time.

The question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Crook, Butler, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Johnston, McAlister, McCracken, Meussdorffer, Miller, Moore of Washington, Myer, Richey, Starr, Stewart, Stillwell, Story, Thomas, Weed, Welch Wright, and Mr. Speaker—34.

Nays—Messrs. Armstrong, Coleman, Furry, Holmes, Jennings, Lamson, Leeper, Manning, Merritt, Minto, Moor of Benton, Mulkey, Paquet, Reed, Shedd, Stephenson, Tracy and Wilkins—17.

Absent—Messrs. Hardy, Killian, Littig, McCall, McCoy, Montgomery, Morey, Snider and Thompson—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Starr moved to instruct the committee on counties to report on house bills Nos. 100 and 180.

Carried.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 197 with the following amendments herewith attached.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Amend by adding after section 160 the following:

CHAPTER XIII.

OF THE WATER COMMISSION.

Section 161. The city of Astoria, hereafter referred to as "the city," is authorized and empowered to construct or purchase, keep, conduct and maintain water works therein of a character and capacity sufficient to furnish the city and the inhabitants thereof with an abundance of good, pure and wholesome water for all uses and purposes necessary for the comfort, convenience and well-being of the same, and to that end may acquire, by purchase or otherwise, and own and possess such real and personal property within and without the limits of the city as in the judgment of the persons herein authorized to construct, purchase, conduct and maintain the same may be deemed necessary and convenient, and for such purpose may also issue bonds running for a period of not less than twenty nor more than fifty years, and dispose of the same as hereinbefore provided.

Section 162. The power and authority given to the city by section 161 hereof to construct or purchase water works and issue and dispose of bonds therefor, shall be exercised as hereinafter provided by the following named substantial taxpayers and *bona fide* residents thereof, namely: George Flavel, J. C. Trullinger, John A. Devlin, I. W. Case, W. W. Parker, W. E. Dement and Charles S. Wright, who shall be styled collectively "The water commission," and are hereinafter mentioned and referred to as the commission.

Section 163. Within ninety days from the time this act goes into effect the seven persons named in section 162 hereof, shall meet at some convenient place in the city on the written call of three or more of their number, published in a daily paper of the city for not less than three days before the time named therein for said meeting, and organize by the election of a presiding officer from their number, who shall be styled "the chairman of the commission," and also a clerk, who shall be styled "the clerk of the commission."

Section 164. The commission may fill any vacancy that may occur in that body by death, resignation, removal from the city or otherwise, by the appointment of a person to be a member thereof who is a *bona fide* resident and taxpayer of the city; and four of the commission shall constitute a quorum for the purpose of organization as well as the transaction of all other business.

Section 165. The chairman of the commission shall, if present, preside at all the meetings thereof; and in case of his absence the commission may appoint from their number a chairman for the time being.

Section 166. The chairman of the commission shall execute all

written contracts on behalf thereof, and sign all orders for the payment of money authorized thereby.

Section 167. The clerk of the commission is its clerical officer, and he shall make and keep a fair minute of its acts and doings; countersign all orders authorized by it and signed by the chairman for the payment of money, and witness all written contracts signed by the chairman on its behalf; keep its accounts, and have the custody of its books and papers.

Section 168. The commission shall appoint a treasurer, who shall give bonds in such sum as it may require, and who shall have the care and custody of all money received by the commission from the sale of bonds, or otherwise, for the construction or purchase of water works as herein provided, and shall pay out the same on the order of the chairman, countersigned by the clerk of the commission, and not otherwise.

Section 169. The chairman, clerk, and treasurer aforesaid shall also do and perform all such other acts or duties as may be required of them, or either of them, by the commission or this act, and they and each of them shall hold their offices at the pleasure of the commission; and the clerk and treasurer shall receive such compensation as the commission may from time to time direct or prescribe.

Section 170. The commission may also from time to time employ and discharge such other agents, workmen, laborers and servants at such compensation or wages as it may deem necessary and convenient for the accomplishment of the purpose of this act.

Section 171. The commission shall meet in the city for the transaction of business at least once a month, at such hour and place as it may direct, and at such other times as it may provide.

Section 172. For the purpose of carrying this act into effect, the commission is authorized to issue and dispose of the bonds of the city of the denomination of \$100 to \$1,000, as the purchaser may desire, with interest coupons attached thereto, the par value of which shall not exceed the sum of \$500,000, signed by its chairman and countersigned by its clerk; whereby the city shall be held and considered in substance and effect to undertake and promise in consideration of the premises, to pay to the bearer of each of the said bonds at the expiration of the term of years for which the same are issued, which must be not less than twenty nor more than fifty years from the date thereof, the sum named therein, in gold coin of the United States, together with interest thereon in like coin, at the rate of not to exceed six per centum per annum, payable half-yearly, as provided in said coupons.

Section 173. The commission, or a majority thereof, has power

and authority: (1) To employ, hire and discharge from time to time all such agents, workmen, laborers and servants as it may deem necessary or convenient in the conduct and management of said water works; (2) to make all needful rules and regulations for the conduct and management of the same by the city and the inhabitants thereof; (3) to establish rates for the use and consumption of water by the city and the inhabitants thereof, including the people living along the line or in the vicinity of the works without the city; (4) to provide for the payment of water rates monthly, in advance, and to shut off the water from any house, tenement or place for which the water-rate is not duly paid, or when any rule or regulation is disregarded or disobeyed; (5) to do any other act or make any other regulation necessary and convenient for the conduct of its business and the due execution of the powers and authority given it by this act, and not contrary to law.

Section 174. The commission shall annually, before the first day of January, make a written estimate of the probable expense of maintaining and conducting the water works during the ensuing year, and also the cost of any contemplated alteration, improvement or extension thereof, and thereupon ascertain and prescribe as nearly as it conveniently can, a water-rate for such year as will insure a sufficient income from the sale of water to pay such expenses and costs, together with one year's interest on the bonds aforesaid, then issued and outstanding.

Section 175. After the expiration of five years from the sale of bonds hereunder by the commission a sum equal to one per centum on the par value of the bonds aforesaid, then issued and outstanding may be annually estimated for, in fixing the water rate in addition to the expenses, cost and interest aforesaid, and collected as a part hereof, which sum when so collected shall be kept and invested under the direction of the commission, as a sinking fund for the payment of and redemption of said bonds.

Section 176. The commission shall cause a quarterly statement in detail of its receipts and disbursements to be made, and signed by its chairman and clerk, and filed with the city auditor and clerk, who shall preserve the same among the files of his office, and shall cause the same to be published in at least one daily paper, of the city; and the commission shall cause to be so made, filed and published, as a part of its last quarterly report in each year, an inventory or statement of the property, implements and material in its possession or control, pertaining to the water works, together with the condition and approximate value thereof.

Section 177. No person shall be considered a taxpayer, within the meaning of this act, so as to be eligible to become a member of

this commission under this act unless he has paid to the city, within a year before his selection or appointment to such position, a tax of not less than \$25.00 and whenever any member of said commission shall fail to pay such tax to the city for one year, he shall cease to be a member thereof, and his place therein shall be deemed vacant and may be filled accordingly.

Section 178. Inasmuch as the present charter of the city of Astoria is insufficient to meet the wants and necessities of the inhabitants of the city, this act shall be in force and effect within twelve days from the date of its passage.

On motion of Mr. Welch, the house concurred in senate amendment.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 90, a bill for an act to amend an act entitled an act to amend an act entitled an act to regulate the salaries of county judges of the state of Oregon, approved February 20, 1885, approved February 21, 1887, and approved February 25, 1889.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 203, a bill for an act to amend the two sections each numbered 15 of article 1 of an act of the legislative assembly of the state of Oregon, entitled an act to incorporate the town of Woodburn, in Marion county, Oregon, filed in the office of the secretary of state February 20, 1889.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker :

I am directed by the president to inform you that he has signed house concurrent resolution No. 21 and house joint resolution No. 5. And the same are herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 105, a bill for an act to regulate the rights and duties of employers and employes, and to protect the rights of business men, by amending section 1893 of the laws of Oregon, as compiled by Wm. Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. McAlister moved that the rules be suspended and senate bill No. 194 read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Blundell, Butler, Coleman, Durham, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, McAlister, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—45.

Nays—Messrs. Baker, Botkin, Dustin and Manning—4.

Absent—Messrs. Crook, Hardy, Killian, Littig, McCall, McCoy, Montgomery, Morey, Snider, Thompson and Welch—11.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

Mr. McAlister moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Dustin, Hardy, Killian, Littig, McCoy, Montgomery and Morey—7.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. McAlister, the bill was considered engrossed and passed to third reading.

Mr. McAlister moved that the rules be suspended and the bill read a third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Hardy, Killian, Littig, McCall, McCoy, Montgomery and Morey—7.

So the rules were suspended and the bill ordered read the third time.

Senate bill No. 194 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Mulkey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell,

Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Armstrong, Crook, Hardy, Killian, Littig, McCoy, Montgomery and Morey—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on counties presented a report on house bill No. 100, and, on motion of Mr. Stewart, the bill was referred back to said committee with leave to report at any time.

The committee on counties presented the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 2, 1891. }

Mr. Speaker:

Your committee on counties, to whom was referred house bill No. 180, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass together with the following amendments:

AMENDMENT.

Strike out all after line 4 of printed bill and insert the following, to wit:

Baker county, \$600.
Benton county, \$500.
Clackamas county, \$800.
Clatsop county, \$750.
Columbia county, \$350.
Coos county, \$600.
Crook county, \$600.
Curry county, \$300.
Douglas county, \$700.
Gilliam county, —.
Klamath county, \$500.
Lake county, \$400.
Lane county, \$400.
Linn county, \$1,000.

Malheur county, \$400.
Marion county, \$1,200.
Morrow county, \$500.
Multnomah county, \$1,800.
Polk county, \$800.
Sherman county, \$100.
Tillamook county, \$75.
Umatilla county, \$500.
Union county, \$500.
Wallowa county, \$250.
Wasco county, \$500.
Washington county, \$600.
Yamhill county, \$600.

On motion of Mr. Shedd, the report and amendments were adopted.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 205, a bill for an act to protect salmon and other food fishes in the state of Oregon and upon all waters upon which this state has concurrent jurisdiction, and to repeal sections 3489, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497 and 3498 of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 130, a bill for an act entitled an act to aid the county court of Douglas county in improving the wagon road from Camas valley, in said county, to the boundary line between Coos and Douglas counties.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

The courtesies of the house were, on motion, extended to Hon. W. Scott Beebe of Portland.

The committee on claims presented the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker:

Your committee on claims, to whom was re-referred house bill No. 99, for the relief of Mrs. A. L. Stinson, beg leave to report that they have had the same under consideration, and would respectfully

report it back to the house with the recommendation that it do pass with the following relinquishment herewith attached and made part of this report.

J. M. McCALL,
Chairman.

RELINQUISHMENT.

I, Mrs. A. L. Stinson, administratrix of the estate of A. L. Stinson, deceased, hereby agree that in consideration of the allowance of the sum of \$1,757.85 by the legislative assembly of the state of Oregon, accept the same in full payment of all claims against the state for printing, binding, etc., for the state in the years 1868 and 1869, and all other claims of whatsoever nature against the state is hereby relinquished.

SALEM, Oregon, February 6, 1891.

MRS. A. L. STINSON,
Administratrix.

On motion of Mr. McCall, the report was adopted.

The special committee on wagon road appropriations reported as follows:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 5, 1891.

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 159, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

The committee finds this road would open up a large mining belt, leading through a timber section and quite a tract of settlement. The country through which this road is desired is of such a character that it is difficult and expensive, and recommend the following amendments:

AMENDMENT.

Section 1 and section 2, where the sum of ten thousand is stated, strike out and insert in place five thousand.

W. SINCLAIR,
A. H. CROOK,
Chairmen.

The report and amendments were, on motion, adopted.

REPORT.

HALL OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 5, 1891. }

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 233, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

The bill is meritorious, as it will make connections between roads already built for over one hundred miles down the coast, connecting Tillamook and Astoria and the Willamette valley. This road to be built is through a rough country, and very expensive to build.

We would further recommend that section 1 be amended to read "six" thousand instead of "ten" thousand.

W. SINCLAIR,
 A. H. CROOK,
 Chairmen.

The report and amendments were, on motion, adopted.

REPORT.

HALL OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 6, 1891. }

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 276, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

W. SINCLAIR,
 A. H. CROOK,
 Chairmen.

On motion, the report was adopted.

On motion of Mr. Barnes, the bill was considered engrossed and passed to third reading.

REPORT.

HALL OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 6, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred house bills

Nos. 266 and 267, beg leave to report that they have had the same under consideration, and would respectfully report back to the house a substitute therefor with recommendation that it do pass.

GEO. L. STORY,
Chairman.

The committee on corporations introduced house bill No. 281, a substitute for house bills Nos. 266 and 267, being a bill for an act to amend an act to incorporate the town of Hillsboro, in Washington county, Oregon, approved October 19, 1876, as amended by an act to amend an act to incorporate the town of Hillsboro, in Washington county, Oregon, and approved February 4, 1887.

Mr. Barrett moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Armstrong, Hardy, Killian, Littig, McCoy, Montgomery and Morey—7.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

House bill No. 281 coming on for second reading, Mr. Barrett moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Hardy, Killian, Littig, McCoy, Montgomery and Morey—6.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Barrett, the bill was considered engrossed and passed to third reading.

House bill No. 99 having been read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Botkin, Butler, Crook, Durham, Fox, Furry, Jennings, McCall, McCracken, Meussdorffer, Minto, Reed, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, and Mr. Speaker—26.

Nays—Messrs. Barrett, Coleman, Dustin, Gambee, Garfield, Hall, Hansard, Hartman, Johnston, Lamson, Leeper, Manning, McAlister, Merritt, Miller, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Richey, Shedd, Tracy and Wright—24.

Not voting—Mr. Holmes—1.

Absent—Messrs. Hardy, Henry, Killian, Littig, McCoy, Montgomery, Morey, Stewart and Welch—9.

So the bill failed to pass.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 92, a bill for an act to amend section 2472, and to repeal sections 2473, 2476, 2477, 2478 and that part of sections 2474 and 2475, title 4, chapter 13, relating to salaries of county treasurers of the counties of Gilliam and Klamath, as compiled by W. Lair Hill, and to repeal section 9 of an act entitled an act to create the county of Malheur, in the state of Oregon, and to fix the salaries of county judge and treasurer of said county, approved February 27, 1887.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has receded from senate amendments to house bill No. 122.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

Mr. Miller moved that the rules be suspended and senate bill No. 192 read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Hardy, Killian, Littig, McCoy, Montgomery, Morey and Stewart—7.

So the rules were suspended and the bill read the first time by title, and passed to a second reading without further question.

Mr. Miller moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Tracy, Thomas, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Hardy, Killian, Littig, McCoy, Montgomery, Morey and Stewart—7.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Miller, amended by Mr. Hall, the bill was ordered printed.

House bill No. 144 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Botkin, Butler, Coleman, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Meussdorffer, Minto, Moor of Benton, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thompson, Tracy, Welch, Wright, Wilkins, and Mr. Speaker—40.

Nays—Messrs. Barrett, Crook, Durham, Hall, Johnston, Manning, McAlister, McCall, McCracken, Merritt, Miller, Moore of Washington, Thomas and Weed—14.

Absent—Messrs. Hardy, Killian, Littig, McCoy, Montgomery and Morey—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 135, a bill for an act to amend sections 3161 and 3162, of chapter 26, title 1, of Hill's annotated laws of Oregon, and sections 3164, 3165, 3166, 3167, 3168 and 3169, of chapter 26, title 2, of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

I am directed by the president to inform you that the senate has

passed senate bill No. 70, a bill for an act to be entitled an act to amend section 313 of chapter 4 of title 1 of an act entitled an act to provide a code of civil procedure.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Barrett, house bills Nos. 266 and 267 were laid on the table.

House bill No. 139 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Durham, Dustin, Furry, Gambee, Hall, Henry, Holmes, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Mulkey, Richey, Starr, Thomas, Thompson, Weed and Wilkins—25.

Nays—Messrs. Blundell, Botkin, Butler, Coleman, Fox, Garfield, Hansard, Hartman, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, Myer, Paquet, Shedd, Snider, Stephenson, Stewart, Stillwell, Tracy, Welch, Wright and Mr. Speaker—26.

Absent—Messrs. Crook, Hardy, Killian, Littig, McCoy, Montgomery, Morey, Reed and Story—9.

So the bill failed to pass.

House bill No. 18 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Durham, Fox, Gambee, Hall, Merritt, Meussdorffer, Miller, Richey, Snider, Stewart, Story, Thomas, Weed, Welch and Wright—16.

Nays—Messrs. Armstrong, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Dustin, Furry, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Shedd, Starr, Stephenson, Stillwell, Thompson, Tracy, Wilkins, and Mr. Speaker—38.

Absent—Messrs. Hardy, Killian, Littig, McCoy, Montgomery and Morey—6.

So the bill failed to pass.

On motion, house adjourned.

R. R. HAYS,
Chief clerk.

SATURDAY, FEBRUARY 7, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1891. }

The house was called to order at 10 o'clock A. M., Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Crook, Durham, Fox, Garfield, Hansard, Hardy, Hartman, Holmes, Killian, Littig, Manning, McCoy, McCracken, Montgomery, Mulkey, Welch and Wright.

Messrs. Crook, Durham, Hansard and Hartman were excused.

The reading of the journal was, on motion, dispensed with.

Mr. Story moved that house bill No. 118 be recalled from the engrossing committee and re-referred to the Multnomah delegation for correction, with leave to report at any time.

Motion carried.

Mr. Merritt moved that house bill No. 221 be recalled from the committee on engrossed bills.

Motion carried.

The speaker called Mr. Miller to the chair.

Mr. Merritt moved that house bill No. 221 be amended by striking out the word "four-sevenths" where the same occurs in said bill, and inserting "five-sevenths" in lieu thereof; also by striking out the word "three-sevenths" where the same occurs, and inserting in lieu thereof "two-sevenths."

The motion prevailed and the amendments were adopted.

On motion of Mr. Merritt, house bill No. 221 was referred to the committee on engrossed bills.

The committee on judiciary submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 5, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 30, with amendments, beg leave to report that they have had the same under consideration, and would respectfully report it back

to the house with the recommendation that there are no legal objections to its passage as amended:

JOHN H. HALL,
Chairman.

That section 1 be amended to read as follows:

By adding thereto the following: "*provided, however*, that said officers, or trustees, shall have first caused to be published a notice of the time and place of holding said special meeting, and the object thereof, in some daily newspaper of general circulation published within the county where said corporation is located; and it shall be the duty of the secretary of said corporation to deposit in the postoffice, not less than ten days prior to the time fixed for said special meeting, written or printed notices directed to each member of said corporation at their postoffice address, stating the time and place of such special meeting, and the object thereof; a failure on the part of the officers of said corporation to give the notice herein prescribed shall invalidate any supplementary articles of incorporation adopted at such meeting. Nothing in this act shall be construed as applying to any corporation in this state other than those incorporated under the general statutes of this state."

On motion, the report and amendments were adopted, and the bill ordered to the engrossing committee.

The committee on fisheries submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1891. }

Mr. Speaker:

Your committee on fisheries, to whom was referred house bill No. 233, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Exempting the counties of Multnomah, Polk, Clatsop, Washington, Clackamas, Marion, Lane, Linn, Benton, Tillamook, Douglas, Coos, Curry, Josephine, Jackson and Yamhill from the provisions of this act.

A. W. REED,
Chairman.

On motion, the report and amendment were adopted.

REPORT.

HALL OF REPRESENTATIVES,)
 SALEM, Oregon,)
 February 7, 1891.)

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bills Nos. 126 and 273, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
 Chairman.

House bill No. 110 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Hall, Meussdorffer, Minto, Morey, Paquet, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, and Mr. Speaker—17.

Nays—Messrs. Barnes, Butler, Coleman, Dustin, Furry, Gambee, Garfield, Henry, Jennings, Johnston, Lamson, Leeper, McAlister, McCall, Merritt, Miller, Moor of Benton, Moore of Washington, Myer, Reed, Richey, Shedd, Snider, Stephenson, Thompson and Wilkins—26.

Absent—Messrs. Blundell, Crook, Durham, Fox, Hansard, Hardy, Hartman, Holmes, Killian, Littig, Manning, McCoy, McCracken, Montgomery, Mulkey, Welch and Wright—17.

So the bill failed to pass.

The speaker resumed the chair.

The speaker announced that he was about to sign house bill No. 273 and house bill No. 126, and soon after announced that he had so signed.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,)
 SALEM, Oregon,)
 February 6, 1891.)

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 107, a bill for an act for the relief of David McCully, to reimburse him for money which he paid into the treasury of the state of Oregon, September 21, 1878, for what was supposed to be swamp land, but which has subsequently been deter-

mined by the La Grande office in this state to be not swamp land, and the said McCully having been thereby deprived of the right to purchase the same as swamp land; and

Whereas on September 21, 1878, David McCully applied to the board of commissioners of this state for the sale of school and university land, said board being *ex officio* swamp land commissioners, and filed his application to purchase the west half of the west half, and the northeast quarter of the southwest quarter, section 8, in township 2 south, range 45 east of the Willamette meridian, consisting of 200 acres of land, and then and there paid into the treasury of the state of Oregon the first installment to be paid thereon of the purchase price, to wit, \$40, and received from said board of commissioners a swamp land certificate which bears date April 5, 1881; and

Whereas upon a contest duly made before the land office at La Grande said 200 acres of land were decided and declared by said land office not to be swamp land, and that said David McCully could not purchase the same of the state of Oregon as swamp land, and that he would have to surrender up the same to the contestant; which, by reason of said decision, he was compelled to do, and did so surrender up to his contestant; and

Whereas said David McCully, being deprived of the privilege of purchasing said land, has produced his said swamp land certificate to the legislature of the state of Oregon for the purpose of allowing the same to be canceled, and asks to be reimbursed the said sum of \$40, together with interest thereon at the rate of 8 per cent per annum since said September 21, 1878, amounting in all to \$79.15.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 150, a bill for an act to amend section 4229 of chapter 85 of the miscellaneous laws of Oregon as compiled and annotated by W. Lair Hill, entitled, for the destruction of certain wild animals, approved February 21, 1887.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

The committee on engrossed bills reported as follows:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1891. }

Your committee on engrossed bills, to whom was referred house bill No. 233, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

By unanimous consent, Mr. Thomas introduced house bill No. 282, being a bill for an act to apportion the state into two congressional districts, and establish the same, and provide for the election of representatives therein.

The bill was read the first time and passed to its second reading without a question.

Mr. Thomas moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Crook, Hardy, Holmes, Killian, Littig, McCoy, Montgomery, Mulkey, Welch and Wilkins—10.

So the rules were suspended and the bill read a second time by title.

On motion of Mr. Thomas, the bill was considered engrossed and made special order for next Tuesday at 10 o'clock A. M.

On motion, it was ordered that when the house adjourn it be until Monday, February 9, at 2 o'clock P. M.

The committee consisting of the Multnomah county delegation,

to whom was referred house bill No. 118, presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1891. }

Mr. Speaker:

Your committee, the representatives from Multnomah county, to whom was referred house bill No. 118, beg leave to say that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass as returned to this house from the engrossing committee, with the following changes:

AMENDMENT.

Chapter 5, section 2, line 135, should read section 37, line 135.

AMENDMENT.

Section 187, chapter 14, strike out all after the word "place," in line 2, and also strike out all of line 3 of same section.

GEO. L. STORY,
Chairman.

On motion, the report and amendments were adopted.

House bill No. 41 was read the third time.

On motion of Mr. Hall, the bill was referred to the committee on roads and highways with instructions to amend and with leave to report at any time.

Mr. Armstrong moved the house adjourn.

Motion lost.

House bill No. 206 was read the third time and was withdrawn by Mr. Tracy.

House bill No. 70 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Dustin, Fox, Furry, Gambee, Garfield, Hall, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Crook, Durham, Hansard, Hardy, Hartman, Killian, Littig, McCoy, Montgomery, Stewart and Wilkins—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 82 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Dustin, Fox, Furry, Gambée, Hall, Henry, McCracken, Merritt, Moor of Benton, Richey, Starr, Stewart, Story and Thomas—18.

Nays—Messrs. Barnes, Botkin, Butler, Coleman, Garfield, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, Meussdorffer, Miller, Minto, Moore of Washington, Morey, Myer, Paquet, Reed, Shedd, Snider, Stephenson, Stillwell, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—31.

Absent—Messrs. Crook, Durham, Hansard, Hardy, Hartman, Killian, Littig, McCoy, Montgomery, Mulkey and Wilkins—11.

So the bill failed to pass.

On motion, the house adjourned.

R. R. HAYS,
Chief clerk.

MONDAY, FEBRUARY 9, 1891.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 9, 1891. }

The house was called to order, Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Hardy, Hartman, Killian, Littig and Montgomery.

Prayer was offered by Rev. H. H. Brown of the Unitarian Church, Salem.

Hon. J. B. Mayhen was, on motion, tendered the courtesies of the house, and invited to a seat within the bar.

Mr. Moor of Benton introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 39.

Whereas in view of the many questions of policy arising and of the important features contained in the house bill presented by the

committee on education for the publication by the state of a series of school books for use in our public schools; therefore, be it

Resolved, That the committee on education be requested to prepare a report on the subject of state publication of text-books, and that the committee be instructed to present in said report the results of such publication in other states, especially in the state of California; and be it

Further resolved, That the committee shall prepare such report during the present session, if practicable, and that five hundred copies of the same be ordered published for the information of the members of the legislature, and for distribution.

Resolved further, That if said report cannot be furnished prior to the adjournment of the present session, that the committee be requested to complete and publish said report at the earliest practicable day after the adjournment, and that a printed copy be mailed to each member of this legislative assembly.

Resolution adopted.

Mr. Blundell introduced house bill No. 283:

"A bill for an act to provide for editing, illustrating, electrotyping, printing, binding, copyrighting and distributing a state series of school text-books, and appropriating money therefor."

The bill was read the first time and passed to its second reading without question.

Mr. Stewart moved that senate bill No. 192 be taken up and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Johnston, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—50.

Nays—Messrs. Jennings, Lamson, Story, Thomas and Welch—5.

Absent—Messrs. Hall, Hardy, Killian, Montgomery and Morey—5.

So the motion was adopted and the bill ordered read the third time.

Mr. Thomas moved that senate bill No. 192 be referred to the committee on elections for amendment, with leave to report at any time.

Motion lost.

Senate bill No. 192 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Hall, Hansard, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—Messrs. Armstrong, Garfield and Minto—3.

Absent—Messrs. Furry, Hardy, Hartman, Killian, Littig, Montgomery and Morey—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Hon. John Myers of Clackamas county was invited to a seat within the bar of the house.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 9, 1891.)

Mr. Speaker:

I am directed by the president to inform you that he has signed house bills Nos. 126 and 273.

And the same are herewith returned to you.

O. P. MILLER,
Chief clerk.

The committee on engrossed bills reported as follows:

REPORT.

HALL OF REPRESENTATIVES,)
SALEM, Oregon,
February 9, 1891.)

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bills Nos. 180, 30, 159, 223, 221 and 118, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 9, 1891. }

Mr. Speaker:

Your committee on federal relations, to whom was referred house joint memorial No. 2 and senate joint memorial No. 4, in relation to improvement of the Willamette river, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following report: The appropriation heretofore made by congress has been entirely inadequate for the work required to be done. The Willamette river is the largest tributary to the Columbia river, and the only independent line of transportation for the agriculturist and merchant. The excessive freight charges by rail bears heavily on both producer and consumer, therefore we most emphatically but respectfully ask our senators and representative in congress to use their best efforts to obtain an appropriation sufficient to the work of removing the sand-bars and other obstructions to the navigation of the river aforesaid. Although of a nominal nature, the amount has been so meager no real good has been accomplished, and our people deprived of the benefit of a competing line of transportation. The condition of the Willamette is well known to each member of our delegation, and the wants of our people, regardless of party, are urged. Therefore be it

Resolved, That Senators Dolph and Mitchell and Representative Hermann each use his best endeavors to obtain the relief asked.

The secretary of state is requested to forward a copy of this report to each member of the delegation.

WM. ARMSTRONG,
Chairman.

On motion of Mr. Armstrong, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee consisting of the members of the Marion county delegation, to whom was referred house bill No. 161, beg leave to report that they have had the same under consideration, and would

respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

That all that part of section 1 of said bill beginning with the word "begin" and ending with and including the words "company's lines," on line 6 of the printed bill of said section, be stricken out and that there be inserted in lieu thereof the following: Begin at the present terminus of said Capital City Railway Company's track at its easterly terminus at the Oregon state penitentiary, and running thence in a northerly direction to the southwest corner of the Oregon insane asylum lawn; following on the line formerly made for a public driveway from said state penitentiary to the southwest corner of said Oregon insane asylum lawn; thence northerly along the west line of said asylum lawn to the asylum avenue at a point thereon near the entrance gate to the said insane asylum.

AMENDMENT.

Add after the words "each way," in line 6 of section 2 of printed bill, the following: And the said Capital City Railway Company shall, upon the demand of either the superintendent of the Oregon insane asylum or the Oregon state penitentiary, fence either or both sides of the right of way herein granted with a substantial fence, as may be by them or either of them designated, and said company shall maintain said fence or fences in good repair; and shall also furnish to the officers and employes at both said institutions free passage over all lines of said railway company in the cars thereof.

Your committee recommend this change for the reason that the route of the line as proposed in the original bill would be very detrimental and damaging to the lands owned by the state of Oregon, as it would cross over and separate agricultural and cultivated lands owned by the state of Oregon, and would render a part of said lands unfit for use.

JOHN MINTO,
Chairman.

WM. ARMSTRONG,
For the Marion county delegation.

On motion, the report was adopted.

Mr. McCracken moved that when the house adjourn it be until 7:30 o'clock this evening.

Motion carried.

Mr. McCracken moved that house bill No. 118 be made the special order for 7:30 o'clock this evening.

Motion lost.

House bill No. 270 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Crook, Hardy, Hartman, Killian, Littig, McCoy, Montgomery and Morey—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 4 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barrett, Blundell, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Henry, Manning, McCoy, Moor of Benton, Myer, Mulkey, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wright, and Mr. Speaker—26.

Nays—Messrs. Armstrong, Barnes, Botkin, Furry, Hall, Jennings, Johnston, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moore of Washington, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson and Wilkins—25.

Absent—Messrs. Crook, Hardy, Hartman, Holmes, Killian, Littig, Montgomery, Morey and Weed—9.

So the bill failed to pass.

House bill No. 5 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Botkin, Butler, Dustin, Fox, Gambee, Garfield, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Paquet, Richey, Snider, Stewart, Story, Thomas, Thompson, Tracy and Welch—26.

Nays—Messrs. Barrett, Coleman, Durham, Furry, Hall, Hansard,

Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, Miller, Moor of Benton, Moore of Washington, Mulkey, Myer, Reed, Shedd, Starr, Stephenson, Stillwell, Weed, Wilkins, Wright, and Mr. Speaker—27.

Absent—Messrs. Crook, Hardy, Hartman, Killian, Littig, Montgomery and Morey—7.

So the bill failed to pass.

The committee on enrolled bills reported as follows:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 9, 1891. }

Mr. Speaker :

Your committee on enrolled bills, to whom was referred house bill No. 108, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 9, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 184, a bill for an act to amend section 2 of an act entitled an act providing for private incorporations and the appropriation of private property therefor, approved October 14, 1862, the same being section 3218 of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 9, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has

passed senate bill No. 164, a bill for an act to protect the ring-neck Mongolian pheasant, quail or bob white, prairie chicken and pheasant in that part of the state of Oregon east of the Cascade mountains.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign house bill No. 108, and soon thereafter that he had signed the same.

House bill No. 58 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stewart, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—49.

Nays—Messrs. Stephenson, Stillwell and Thompson—3.

Absent—Messrs. Crook, Hardy, Hartman, Killian, Littig, Manning, Montgomery and Morey—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Messrs. Morey and Hardy were, on motion, excused for the day, and, on motion, Mr. Montgomery was excused for the session.

House bill No. 90 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Botkin, Butler, Crook, Durham, Dustin, Furry, Gambee, Hall, Johnston, Lamson, Manning, McAlister, McCoy, McCracken, Meussdorffer, Miller, Moor of Benton, Paquet, Starr, Stephenson, Stewart, Story, Tracy, Welch, Wright, and Mr. Speaker—25.

Nays—Messrs. Armstrong, Baker, Barrett, Blundell, Coleman, Garfield, Hansard, Henry, Holmes, Jennings, Leeper, McCall, Merritt, Minto, Moore of Washington, Mulkey, Myer, Reed, Richey, Shedd, Thomas, Thompson, Weed and Wilkins—26.

Absent—Messrs. Fox, Hardy, Hartman, Killian, Littig, Montgomery, Morey, Snider and Stillwell—9.

So the bill failed to pass.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 9, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bill No. 108.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 9, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 102, a bill for an act to punish persons for refusing to aid an officer in the lawful discharge of his duties.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 9, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 174, a bill for an act to amend sections 2246 and 2247 of the laws of Oregon, as compiled and annotated by W. Lair Hill, relating to the boundaries of Clatsop county and the line of boundary between the counties of Clatsop and Tillamook.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 9, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has

passed senate bill No. 96, a bill for an act to amend section 3779 of Hill's annotated laws of Oregon, being section 1 of an act entitled an act to regulate the admission of foreign surety companies to do business in this state, and to facilitate the giving of undertakings and bonds required by law, approved February 26, 1885.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 9, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 176, a bill for an act providing for the payment by the state of Oregon of the moneys due the late Samuel R. Thurston, and to make disposition of the same.

Whereas the late Samuel R. Thurston, the first delegate in congress from the territory of Oregon, while a member of the legislature of the provisional government of Oregon territory, during the session of 1848 and 1849, received in payment for per diem promissory certificates bearing interest at the rate of six per cent per annum from February 16, 1849, to the amount of thirty-four dollars, duly signed by W. R. Kilborn, treasurer; and

Whereas said promissory certificates were not paid for want of funds, and remain unpaid to this date.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

The committee on agriculture reported as follows:

REPORT.

HALL OF REPRESENTATIVES,)
SALEM, Oregon,)
February 4, 1891.)

Mr. Speaker:

Your committee on agriculture, to whom was referred house bill No. 101, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN MINTO,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1891. }

Mr. Speaker:

Your committee on agriculture, to whom was referred house bill No. 31, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

That at the end of the last line there be added the following:

And provided further, that no owner of a flock of ewes and lambs keeping his flock west of the Cascade range, shall be required to dip such sheep between the first day of January and the first day of May of any year.

[JOHN MINTO],
Chairman.

On motion, the report and amendment was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1891. }

Mr. Speaker:

Your special committee to whom was referred senate bill No. 18, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Strike out the words "seven hundred dollars" in line 4 of section 3, printed bill, and insert in lieu thereof the words "one thousand dollars."

AMENDMENT.

Strike out the words "seven hundred dollars" in line 5, section 3, printed bill, and insert in lieu thereof the words "one thousand dollars."

AMENDMENT.

Strike out the words "seven hundred dollars" in line 6 of section 3, printed bill, and insert in lieu thereof the words "one thousand dollars."

AMENDMENT.

Strike out all of section 8 and insert in lieu thereof the following:
Section 8. The provisions of this bill shall not apply to the sheriffs and clerks of the counties of Crook, Klamath and Lake now in office until after the expiration of the term of office for which they have been elected.

W. SINCLAIR.

T. J. STEPHENSON.

On motion, the report on senate bill No. 18 and the amendments thereto were adopted.

House bill No. 72 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Botkin, Butler, Durham, Dustin, Gambee, Hall, Johnston, McAlister, McCracken, Meussdorffer, Miller, Paquet, Starr, Stewart, Story, Thomas, Thompson, Weed, Welch and Wright—23.

Nays—Messrs. Barrett, Coleman, Crook, Furry, Garfield, Hansard, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCall, McCoy, Merritt, Minto, Moor of Benton, Moore of Washington, Mulkey, Myer, Reed, Richey, Shedd, Snider, Stephenson, Stewart[?], Stillwell, Tracy, Wilkins, and Mr. Speaker—29.

Absent—Messrs. Blundell, Fox, Hardy, Hartman, Killian, Littig, Montgomery and Morey—8.

So the bill failed to pass.

Mr. McCracken moved to refer house bill No. 185 back to the committee on railways and transportation.

Motion lost.

House bill No. 185 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCoy, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed,

Richey, Shedd, Snider, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch Wilkins, Wright, and Mr. Speaker—49.

Nays—Messrs. Hansard, McCracken, Meussdorffer and Starr—4.

Absent—Messrs. Hardy, Hartman, Killian, Littig, Montgomery, Morey and Stewart—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act, except the word "common," which the clerk was instructed to erase therefrom.

House bill No. 156 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Hall, Hardy, Hartman, Killian, Montgomery and Morey—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Hon. J. T. Gregg was invited to a seat within the bar of the house.

House bill No. 147 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Hardy, Hartman, Killian, Littig and Montgomery—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 184 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambia, Garfield, Hall, Hansard, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—51..

Nays—Messrs. Paquet and Stephenson—2.

Absent—Messrs. Armstrong, Hardy, Hartman, Killian, Littig, Montgomery and Morey—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 9, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 162, a bill for an act to authorize and empower the governor, secretary of state, and state treasurer of the state of Oregon, and their successors in office, for, on and in the name and behalf of the state of Oregon, to build, construct, operate and maintain a portage railway between the highest and lowest point of the navigable waters of the Columbia river, between The Dalles and Celilo, in Oregon, and to build and construct all necessary switches and approaches thereto, and to equip, run, operate and perpetually maintain the same, and to sue for and condemn private property for all necessary purposes in any way connected therewith, and to charge and collect freights and fares thereon, and to appropriate money therefor.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 9, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 123, an act for the sale of tide and swamp lands in the tide waters of the Columbia river and tributaries.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Paquet moved that the rules be suspended and senate bill No. 205 read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Hardy, Hartman, Killian, Montgomery and Morey—5.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Mr. Paquet moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

On motion, the house adjourned.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 9, 1891. }

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Hansard, Hardy, Hartman and Montgomery—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 97 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—Mr. McCracken—1.

Absent—Messrs. Botkin, Garfield, Hardy, Hartman, Killian, Littig, Montgomery, Morey and Richey—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Speaker here resumed the chair.

House bill No. 218 of the 15th biennial session was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Crook, Durham, Fox, Hall, Hartman, Johnston, Lamson, McAlister, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Mulkey, Paquet, Reed, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—36.

Nays—Messrs. Barnes, Butler, Coleman, Dustin, Furry, Gambee, Hansard, Henry, Holmes, Jennings, Leeper, Manning, McCall, Shedd, Stephenson and Thompson—16.

Absent—Messrs. Garfield, Hardy, Killian, Littig, Montgomery, Morey, Myer and Richey—8.

So the bill passed, notwithstanding the objection and veto of his excellency the governor; and there being no objection, the title of the bill stood as the title of the act.

Hon. John Q. Wilson of Salem was invited to a seat within the bar of the house.

Mr. Durham moved to reconsider the vote by which house bill No. 22 was defeated.

Motion prevailed.

The question recurred on the passage of house bill No. 22.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Fox, Gambee, Hall, Henry, Holmes, Jennings, Johnston, Leeper, Manning, McAlister, McCoy, McCracken, Minto, Moor of Benton, Myer, Paquet, Reed, Shedd, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch Wilkins, Wright, and Mr. Speaker—37.

Nays—Messrs. Baker, Crook, Dustin, Furry, Hansard, Hartman, Lamson, Merritt, Meussdorffer, Miller, Moore of Washington, Mulkey, Snider, Stephenson and Thompson—15.

Absent—Messrs. Garfield, Hardy, Killian, Littig, McCall, Montgomery, Morey and Richey—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Hall moved that house bill No. 118 be printed.

Motion carried.

Mr. Paquet moved that the vote by which house bill No. 99 was defeated be reconsidered.

Motion lost.

(On motion of Mr. Blundell, the house adjourned.)

R. R. HAYS,
Chief clerk.

TUESDAY, FEBRUARY 10, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1891. }

The house was called to order, Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Dustin, Garfield, Hartman, Holmes, Littig, Montgomery, Morey and Stephenson.

Mr. Story moved that the rules be suspended and senate bill No. 90 be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Fox, Furry, Gambia, Hall, Hansard, Hardy, Hartman, Henry, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—51.

Nays—Messrs. Barnes and Miller—2.

Absent—Messrs. Armstrong, Dustin, Garfield, Holmes, Littig, Montgomery and Morey—7.

So the rules were suspended and senate bill No. 90 read the first time by title and passed to a second reading without further question.

Mr. Story moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambia, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Armstrong, Holmes, Littig, Montgomery and Morey—5.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Story, the bill was referred to the committee on counties, with leave to report at any time.

Mr. Moor of Benton, from the committee on roads and highways, presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 9, 1891. }

Mr. Speaker:

Your committee on roads and highways, to whom was referred house bill No. 41, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In section 1, line 2 of printed bill, strike out "election precincts" and substitute "road districts;" also in same line after "state" insert "as hereinafter provided."

AMENDMENT.

In section 8, line 1, prefix "One or more of."

AMENDMENT.

In same section, line 2, add: "The number of such elective precincts containing a road district to be determined by the county court of each county at the January term thereof preceding the election of road supervisor."

C. E. MOOR,
Chairman.

On motion, the report and amendments were adopted.

Mr. Thomas moved to withdraw house bill No. 118 from the state printer.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barrett, Crook, Durham, Furry, Gambee, Garfield, Hartman, Jennings, Killian, McCall, McCoy, McCracken, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Starr, Stephenson, Thomas, Weed, and Mr. Speaker—21.

Nays—Messrs. Armstrong, Barnes, Blundell, Botkin, Butler, Coleman, Dustin, Fox, Hall, Hansard, Hardy, Henry, Holmes, Johnston, Lamson, Leeper, Manning, McAlister, Merritt, Minto, Mulkey, Myer, Paquet, Reed, Richey, Shedd, Snider, Stewart, Stillwell, Story, Thompson, Tracy, Welch, Wilkins and Wright—35.

Absent—Messrs. Baker, Littig, Montgomery and Morey—4.

So the motion was lost.

On motion of Mr. Thomas, house bill No. 118 was made special order for Thursday afternoon at 2 o'clock.

On motion of Mr. Story, the courtesies of the house were extended to Hon. A. H. Tanner of Portland.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
: SALEM, Oregon,
: February 9, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 151, a bill for an act granting the consent of the state of Oregon to the purchase by the United States of certain lands for the purpose of erecting thereon a government building for the accommodation of the United States custom house, internal revenue office, and steamboat inspectors and other federal government offices, in the city of Portland, and ceding jurisdiction over the same.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 201, a bill for an act to amend section 2256 of Hill's annotated laws of Oregon, relating to the boundaries of and creating Gilliam county in the state of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has

concurred in house joint memorial No. 9, for the re-establishing of Fort Klamath.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 172, a bill for an act to provide for a right of way for all railroads through the lands of the state of Oregon, and the right to take timber, stone and water and necessary grounds for stations, depots, side-tracks, turn-tables and water stations.

Whereas the early construction of railroad lines is of the utmost importance to the people of the coast line of counties of this state, to the people of Southeastern Oregon and to the entire state, looking to a possible connection of her territory on the western slope of the coast range of mountains, and her territory east of the Cascade range and south of the Blue mountains with the business centers of the state as they now exist.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

The committee on engrossed bills presented the following report:

REPORT.

HALL OF REPRESENTATIVES,)
SALEM, Oregon,
February 9, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bill No. 31, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

The speaker appointed as house committee to consider house bill No. 278, Messrs. McCracken, Minto and Barnes.

House bill No. 282 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambia, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—55.

Nays—Mr. Holmes—1.

Absent—Messrs. Littig, Montgomery, Morey and Wright—4.

So the bill passed; and there being no objection, the title of the bill was ordered to stand as the title of the act.

The committee on enrolled bills presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bills Nos. 13, 71 and 37, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, Oregon, }
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 119, a bill for an act to appropriate money to aid the county court of Baker county in constructing a wagon road from the mouth of Connor creek to Eagle valley.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

House bill No. 69 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Botkin, Butler, Coleman, Crook, Durham, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Myer, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed and Welch—43.

Nays—Messrs. Barrett, Dustin, Furry, Killian, Manning, Moore of Washington, Paquet, Wilkins, and Mr. Speaker—9.

Absent—Messrs. Blundell, Fox, Littig, Montgomery, Moor of Benton, Morey, Stewart and Wright—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Welch, by unanimous consent, withdrew house bills Nos. 65, 23, 66 and 201.

The speaker announced that he was about to sign house bills Nos. 37, 71 and 13, and soon thereafter that he had signed the same.

House bill No. 14 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—47.

Nays—Messrs. Gambee, Garfield, Hardy, Killian, McCoy, Merritt, Mulkey and Myer—8.

Absent—Messrs. Armstrong, Littig, Montgomery, Morey and Wright—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has

passed senate bill No. 43, a bill for an act for the protection of birds within the state of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

House bill No. 120 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McCall, McCoy, McCracken, Meussdorffer, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—49.

Nays—Messrs. McAlister, Merritt, Miller, Minto, Richey, Stephenson and Thompson—7.

Absent—Messrs. Littig, Montgomery, Morey and Wright—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 78 was read the third time, and by unanimous consent, Mr. Jennings withdrew it.

Mr. Armstrong moved to refer house bill No. 15 to the committee on ways and means, with instructions to report an appropriation of \$100,000.

Motion lost.

On motion, the courtesies of the house were extended to Hon. George H. Williams, Hon. M. C. George and Hon. Van B. De Lashmuth.

House bill No. 15 was read the third time.

The question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Botkin, Butler, Durham, Dustin, Garfield, Hall, Henry, Jennings, Johnston, Lamson, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Reed, Richey, Shedd, Starr, Stewart, Stillwell, Story, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—38.

Nays—Messrs. Baker, Blundell, Coleman, Crook, Furry, Gambee, Hansard, Hardy, Hartman, Holmes, Killian, Leeper, Miller, Paquet, Snider, Thomas and Tracy—17.

Absent—Messrs. Fox, Littig, Montgomery, Morey and Stephenson—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills Nos. 111 and 194 are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

House bill No. 142 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambée, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Fox, Hall, Lamson, Littig, Montgomery, Morey and Stephenson—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Speaker announced that he was about to sign senate bills Nos. 111 and 194, and soon thereafter announced that he had signed the same.

House bill No. 116 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambée, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Leeper, Manning, McAlister, McCall, McCoy, McCracken,

Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Lamson, Littig, Montgomery and Stephenson—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 155, a bill for an act to amend section 914 of title 5 of chapter 11 of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 134, a bill for an act to create and aid Eastern, Western and Southern Oregon district agricultural societies, and to define their duties, and to appropriate money therefor, and to repeal an act entitled an act to create and aid Eastern Oregon district agricultural societies, and to define their duties, and appropriate money therefor, approved February 20, 1889, and to repeal an act entitled an act to create a Southern Oregon state board of agriculture, and to define their duties, and to appropriate money therefor, approved February 25, 1889.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 88, a bill for an act to provide for the locating, opening, operating and maintaining of flumes, chutes and roads to be used for logging and lumbering purposes; to condemn rights of way therefor, and to provide compensation for the use of lands condemned for such purposes.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 144, a bill for an act to amend section 153 of the general laws of Oregon as compiled and annotated by Wm. Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion, the house adjourned.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 10, 1891. }

The house was called to order at 2 o'clock P. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Botkin, Cook, Hall, Litig, McCracken, Meussdorffer, Montgomery, Morey and Stewart.

The courtesies of the house were extended to Hon. J. H. D. Gray of Clatsop county.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bills Nos. 13, 37 and 71.

And the same are herewith returned to you.

O. P. MILLER,
Chief clerk.

The committee on counties presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1891. }

Mr. Speaker:

Your committee on counties, to whom was referred senate bill No. 90, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

On line 6 of printed bill, strike out figures "\$300" and in lieu thereof insert "\$500."

AMENDMENT.

In line 21, strike out figures "\$1,200" and insert "\$1,500."

AMENDMENT.

In line 22, strike out figures "\$2,500" and insert "\$3,000."

AMENDMENT.

In line 23, strike out figures "\$1,000" and insert "\$800."

AMENDMENT.

In line 24, strike out figures "\$750" and insert "\$800."

JUDSON WEED,
Chairman.

On motion, the report was adopted with the amendments.

The joint committee on fishing industries of Oregon and Washington made the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1891. }

Mr. Speaker:

Your joint committee on fisheries, to whom was referred senate bill No. 205, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line 9, section 1, after the word "Sunday," insert the following: *provided*, that in the Clackamas river it shall not be lawful to take or fish for salmon by any means whatever between the 15th day of May and the first day of November.

AMENDMENT.

In line 11, section 1, strike out the word "catching" and insert in lieu thereof the words "fishing for."

JOHN FOX,
Chairman.

On motion, the report with amendments was adopted.

On motion, a call of the house was ordered.

The clerk called the roll.

Those present were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker.

Those absent were:

Messrs. Botkin, Hall, Littig, McCracken, Meussdorffer, Montgomery, Morey, Stewart and Thomas.

The sergeant-at-arms returned in a short time with the absent members, and, on motion, a further call of the house was dispensed with.

Mr. Miller moved that house bill No. 248 be laid on the table.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Blundell, Botkin, Coleman, Fox, Garfield, Hall, Henry, Holmes, Jennings, Leeper, McCall, McCracken, Miller, Morey, Myer, Shedd, Stephenson, Story and Wilkins—20.

Nays—Messrs. Armstrong, Barnes, Barrett, Butler, Crook, Durham, Dustin, Furry, Gambee, Hansard, Hardy, Hartman, Johnston, Killian, Lamson, Manning, McAlister, McCoy, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—38.

Absent—Messrs. Littig and Montgomery—2.

So the motion was lost.

On motion, a call of the house was ordered.

The clerk called the roll.

Those present were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker.

Those absent were:

Messrs. Littig and Montgomery.

The sergeant-at-arms appearing with the absent members, on motion, a further call of the house was dispensed with.

House bill No. 248 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Botkin, Butler, Crook, Durham, Dustin, Furry, Gambee, Hansard, Hardy, Hartman, Henry, Johnston, Killian, Lamson, Manning, McAlister, McCall, McCoy, Merritt, Minto, Moor of Benton, Moore of Washington, Paquet, Reed, Richey, Snider, Starr, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—39.

Nays—Messrs. Baker, Blundell, Coleman, Fox, Garfield, Hall, Holmes, Jennings, Leeper, McCracken, Meussdorffer, Miller, Morey, Myer, Mulkey, Shedd, Stephenson, Story and Wilkins—19.

Absent—Messrs. Littig and Montgomery—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 146, a bill for an act to amend section 1018, of title 6, of chapter 13, of the civil code of Oregon, as compiled and annotated by W. Lair Hill, respecting persons committed under process from courts of the United States, and providing that they shall be received and kept by the sheriff.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 218, of the 15th biennial session, notwithstanding the objections and veto of the governor.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 145, a bill for an act to amend sections 3082,

3083 and 3094 of chapter 22 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, relating to wills.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 154, a bill for an act entitled an act to protect laborers for work in clearing and improving lands, and to define and create liens on the land so cleared and improved.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 147, a bill for an act to establish a rogue's gallery at the penitentiary of this state.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Welch introduced house resolution No. 40 and moved its adoption.

HOUSE RESOLUTION NO. 40.

Resolved, That from and after this day the sessions of this house shall be as follows for each and every day:

From 9:30 o'clock A. M. until 12 o'clock.

From 1:30 o'clock P. M. until 5 o'clock.

From 7:30 o'clock P. M. until 10 o'clock.

Resolution adopted.

Mr. McCoy introduced house resolution No. 41 and moved its adoption:

HOUSE RESOLUTION NO. 41.

Resolved, That a committee of three be appointed to prepare resolutions fixing the compensation of the clerks and other officers of the house, with leave to report at any time.

Resolution adopted.

House bill No. 125 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Blundell, Littig, Montgomery and Stewart—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 179, a bill for an act to provide suitable times for holding teachers' quarterly public examinations.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has

passed senate bill No. 177, a bill for an act to provide for the further establishment, advancement and development of the state reform school.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

House bill No. 274 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Gambee, Littig, Montgomery and Stewart—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 113 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Gambee, Garfield, Littig, Montgomery and Stewart—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 207 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins and Wright—54.

Nays—None.

Not voting—Mr. Speaker—1.

Absent—Messrs. Gambee, Garfield, Littig, Montgomery and Stewart—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Coleman moved a call of the house.

The clerk called the roll.

Those present were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker.

Those absent were:

Messrs. Garfield, Littig, McCoy and Montgomery.

The sergeant-at-arms soon returned with the absent members, and the further call of the house was dispensed with.

House bill No. 254 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Crook, Durham, Dustin, Fox, Hall, Hardy, Hartman, Johnston, Lamson, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Morey, Paquet, Reed, Richey, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch and Wright—36.

Nays—Messrs. Armstrong, Baker, Barrett, Coleman, Furry, Gambee, Garfield, Hansard, Holmes, Jennings, Killian, Leeper, Minto, Moore of Washington, Myer, Mulkey, Shedd, Snider, Tracy, Wilkins, and Mr. Speaker—21.

Absent—Messrs. Henry, Littig and Montgomery—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The Marion county delegation submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker :

Your committee, consisting of the Marion county delegation, to whom was referred house bill No. 277, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

WM. ARMSTRONG,
For the delegation.

On motion of Mr. Armstrong, the report was adopted and the bill considered engrossed.

The courtesies of the house were extended to Hon. F. B. Drake.
House bill No. 178 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—47.

Nays—Messrs. Holmes, Killian, Minto, Mulkey, Myer and Thompson—6.

Absent—Messrs. Fox, Henry, Littig, McCoy, Montgomery, Paquet and Stewart—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 149 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Botkin, Butler, Coleman, Crook, Dustin, Furry, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Shedd, Snider, Starr, Stillwell, Thompson, Weed, Wilkins and Mr. Speaker—38.

Nays — Messrs. Barrett, Durham, Fox, Hall, Hardy, Lamson, Manning, Meussdorffer, Miller, Reed, Richey, Stephenson, Stewart, Story, Thomas, Tracy, Welch and Wright—18.

Absent—Messrs. Littig, Montgomery, Morey and Paquet—4.

So the bill passed; and the following was adopted as the title of the bill: Prefix to the bill as read, "A bill for an act."

Mr. Coleman was called to the chair.

The special committee on wagon road appropriations submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 6, 1891.

Mr. Speaker:

Your joint committee on wagon road appropriations, to whom was referred house bill No. 276, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

W. SINCLAIR,
A. H. CROOK,
Chairmen.

On motion of Mr. Crook, the report was adopted.

House bill No. 276 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Botkin, Butler, Crook, Dustin, Fox, Furry, Gambee, Hardy, Hartman, Johnston, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins and Wright—41.

Nays—Messrs. Barrett, Coleman, Garfield, Hansard, Holmes, Jennings, Leeper, Myer, Shedd, Tracy and Mr. Speaker—11.

Absent—Messrs. Durham, Hall, Henry, Killian, Lamson, Littig, McCoy and Montgomery—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 281 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman,

Durham, Dustin, Fox, Furry, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins and Wright—52.

Nays—Messrs. Armstrong and Crook—2.

Absent—Messrs. Gambee, Killian, Littig, McCoy, Montgomery, and Mr. Speaker—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Hall moved to adjourn.

Lost.

Mr. Speaker resumed the chair.

House bill No. 233 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Botkin, Butler, Crook, Dustin, Fox, Furry, Hall, Hardy, Hartman, Henry, Johnston, Lamson, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Morey, Paquet, Reed, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch and Wright—36.

Nays—Messrs. Armstrong, Baker, Barrett, Blundell, Coleman, Durham, Garfield, Hansard, Holmes, Jennings, Killian, Leeper, Minto, Moore of Washington, Mulkey, Myer, Richey, Shedd, Tracy, Wilkins, and Mr. Speaker—21.

Absent—Messrs. Gambee, Littig and Montgomery—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 206, a bill for an act to regulate salmon and sturgeon fishing in the rivers and waters of this state and in the rivers and waters over which it has concurrent jurisdiction.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 83, a bill for an act to be entitled an act to amend an act entitled an act to authorize the construction of a wagon and passenger bridge across the Willamette river at Corvallis, Oregon, approved February 25, 1889.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker :

I am directed by the president to inform you that senate bill No. 81 is reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bill No. 81 and soon after stated he had so signed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 30, a bill for an act to amend an act entitled an act to regulate the practice of medicine and surgery in the state of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 39, a bill for an act to amend an act entitled an act to amend sections 4061, 4070 and 4085 of title 1, chapter 76, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Hall, the house adjourned.

R. R. HAYS,
Chief clerk.

WEDNESDAY, FEBRUARY 11, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon,
February 11, 1891. }

The house was called to order at 9:30 o'clock A. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Littig, Manning, McCoy, McCracken, Montgomery and Welch.

On motion of Mr. Thomas, the reading of the journal was dispensed with.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker :

Your committee on enrolled bills, to whom was referred house

joint memorial No. 9, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house joint memorial No. 9, and soon thereafter that he had so signed.

Mr. Weed introduced house resolution No. 42 and moved its adoption:

HOUSE RESOLUTION NO. 42.

Inasmuch as the house calendar carries a large number of bills of minor importance, thereby affecting the possible passage of more important measures, and in view of expediting business, be it

Resolved, That upon convening Friday morning the roll shall be called, at which time each member shall designate one bill, which shall be taken up and acted upon to its conclusion, in regular order as named upon roll call, before the regular order of business is again resumed.

Mr. Armstrong moved to make the resolution a special order for next Tuesday, February 17, at 9:30 A. M.

Carried.

The special committee consisting of the Multnomah county delegation submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 11, 1891. }

Mr. Speaker:

Your committee, the Multnomah delegation, to whom was referred house bill No. 227, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

That the name of Cyrus Buckman be substituted for that of A. H. Breyman as one of the commissioners named in the bill.

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report and amendment were adopted.

Mr. Holmes introduced house joint resolution No. 7 and moved its adoption.

HOUSE JOINT RESOLUTION NO. 7.

Whereas the people of Oregon have unitedly expressed themselves, through the platforms of all the political organizations of the state in favor of the free coinage of silver; therefore be it

Resolved by the House, the Senate concurring :

That the senior senator from this state, Hon. Joseph N. Dolph, be and he is hereby instructed to vote in favor of such measure in accordance with the will of his constituency.

On motion of Mr. Armstrong, the resolution was tabled.

Mr. Reed introduced house joint resolution No. 8 and moved its adoption.

HOUSE JOINT RESOLUTION NO. 8.

Whereas there are a large number of home-seekers daily arriving in Oregon from the ice-bound and storm-stricken lands of the east, who are looking to the vacant public lands of this state upon which to locate and build them homes; and

Whereas there are many settlers who are already located on these lands and have made permanent improvements thereon, but who are unable to definitely locate their line and secure their improvements or procure a title to the same; and

Whereas there are also large tracts of said lands now unoccupied that would soon be settled upon if surveyed, and would greatly tend to the building up of the financial interests of the state; and

Whereas the appropriations of the general government for the surveys have not been expended, but returned back from the fact that no competent surveyors could be induced to do the work at the rates allowed; therefore be it

Resolved by the House, the Senate concurring :

That our senators and representative in congress be requested and urged to use every honorable and legitimate means to secure a larger appropriation for the survey of the public lands in Oregon, and to the end that the work may be well and properly done and the sum appropriated expended for this purpose.

Be it also resolved, That rates be allowed for the survey of lands heavily timbered, mountainous or covered with dense under growth—rates not exceeding twenty-four dollars per linear mile for standard and meander lines, twenty dollars for township and sixteen dollars for section lines. As the demand for these surveys is great,

Be it further resolved, That the honorable secretary of state be hereby authorized to transmit a copy of these resolutions to each of the senators and representative of Oregon in congress.

The question being upon the adoption of the resolution, the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Tracy, Thomas, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Littig and Montgomery—2.

So the resolution was adopted.

Mr. McCoy introduced house resolution No. 43 and moved its adoption.

HOUSE RESOLUTION NO. 43.

Whereas senate joint resolution No. 1 has been in the hands of the committee on federal relations for a long time, and this session is drawing to a close; and

Whereas the object of said resolution is a conference of a joint committee of this legislature with a similar committee of the legislative assembly of the state of Washington, concerning the feasibility and advisability of the two states jointly taking action to construct and operate portage railways around the cascades of the Columbia: therefore, be it

Resolved, That the committee on federal relations be required to report back to this house without delay said senate joint resolution No. 1.

Mr. Miller moved to postpone further consideration of said resolution until 10 A. M. to-morrow.

Lost.

The resolution was adopted.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has

passed house bills Nos. 8, 35, 178, 113, 194, 200, 243, 255, 281 and 209.

And the same are herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 275, with the following amendment herewith attached:

AMENDMENT.

Amend section 14, chapter 2, of said act by striking out all of said section after the word "term" in the fourth line of said section, as published in the session laws of 1865, making the said section read as follows:

Section 14. A person qualified to vote at any election under this act shall be a legal voter of the state of Oregon, and shall have resided six months next preceding the election within the corporate limits of said town. .

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. McCoy, the house concurred in the amendment.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills Nos. 27, 143 and 192 have been reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 27, 143 and 192, and soon thereafter that he had signed the same.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 48, with amendment herewith attached.

AMENDMENT.

Strike out the words "the board of" in line 32, section 8, subdivision 4, printed bill; also all of lines 33, 34, 35 and 36, same section and subdivision, and insert the following: "Shall be liable to such fine as the board of trustees shall provide, the same not to be less than twenty-five nor more than one thousand dollars; and provided that upon the third conviction for such offense the license of such person shall be revoked, and such person shall not then be granted a license for another year."

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Stillwell, the house concurred in the amendment.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 67 with the following amendments herewith attached:

AMENDMENT.

In section 6 strike out all from and after and including the word "tide" in line 10 of said section to and including the word "line" in line 11 of said section 6, and in lieu thereof insert the words "owners of the wharfage rights thereof."

AMENDMENT.

Add to section 6 the following: No provision of this act shall be

construed to in any manner or to any extent vary or impair any existing property right in any person.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Barrett, the house concurred in the amendments.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 212, a bill for an act to incorporate the city of Winchester.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 221, a bill for an act to amend the charter of Junction City, approved February 20, 1885.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 207, a bill for an act to change the name of the town of Alkali and to incorporate the same, approved November 20, 1885.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Garfield, the vote by which house bill No. 72 was lost was reconsidered.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Botkin, Durham, Garfield, Hardy, Hartman, Johnston, Killian, McAlister, McCall, McCracken, Meussdorffer, Miller, Morey, Mulkey, Paquet, Richey, Starr, Stewart, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—27.

Nays—Messrs. Barnes, Barrett, Blundell, Coleman, Crook, Butler, Dustin, Furry, Gambee, Hansard, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McCoy, Merritt, Minto, Moor of Benton, Moore of Washington, Myer, Shedd, Snider, Stephenson, Stillwell and Wilkins—27.

Absent—Messrs. Armstrong, Fox, Hall, Littig, Montgomery and Reed—6.

So the bill failed to pass.

The speaker submitted the following;

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house joint memorial No. 9.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

House bill No. 180 coming on for third reading, was read the third time.

Mr. Mulkey moved to amend by inserting in the blank space in the bill for the salary of county treasurer of Gilliam county, \$250.

The amendment was adopted and the chief clerk inserted the amendment as ordered.

Mr. Morey amended by changing the salary of treasurer of Multnomah county from \$1,800 to \$2,000.

Adopted.

Mr. Butler amended by changing Polk county from \$800 to \$750.

Adopted.

Mr. Killian amended by changing Umatilla from \$500 to \$600.
Adopted.

The clerk was instructed to make the necessary changes, which he did.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Littig, Manning, Minto and Montgomery—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 159 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Crook, Dustin, Hall, Hardy, Hartman, Henry, Johnston, Manning, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Weed, Wilkins and Wright—32.

Nays—Messrs. Armstrong, Baker, Barrett, Coleman, Durham, Furry, Gambee, Garfield, Hansard, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCall, Minto, Moore of Washington, Myer, Shedd, Tracy, and Mr. Speaker—22.

Absent—Messrs. Fox, Littig, Montgomery, Morey, Stewart and Welch—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on fisheries submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 11, 1891. }

Mr. Speaker:

Your committee on fisheries, to whom was referred house bill

No. 223, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out all of section 2 to the word "provided."

A. W. REED,
Chairman.

On motion of Mr. Reed, the report and amendment were adopted. House bill No. 232 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Blundell, Botkin, Butler, Dustin, Garfield, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, McAlister, McCall, Mulkey, Stillwell, Thompson, Tracy, Wilkins and Wright—20.

Nays—Messrs. Armstrong, Barnes, Barrett, Coleman, Crook, Durham, Fox, Furry, Gambee, Hall, Killian, Lamson, Leeper, Manning, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Story, Thomas, Weed, Welch, and Mr. Speaker—36.

Absent—Messrs. Hartman, Littig, Montgomery and Paquet—4.

So the bill failed to pass.

On motion of Mr. Barnes, the vote by which house bill No. 223 was lost was reconsidered.

On motion of Mr. Gambee, house bill No. 223 was referred to the committee on fishing industries.

House bill No. 221 coming on for third reading, Mr. McCoy asked unanimous consent to withdraw the same.

The request was granted and house bill No. 221 was withdrawn.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 173, a bill for an act to confirm title to certain lands to the grantees of the state, and to provide for the collection of interest on notes given for state lands.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 33, a bill for an act to amend section 2885 of title 3, chapter 18, of the laws of the state of Oregon, as annotated and compiled by W. Lair Hill, relating to guardians and wards.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 118, a bill for an act entitled an act to amend section 3599 of chapter 52 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

House bill No. 30 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Meussdorffer, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch and Wilkins—42.

Nays—Messrs. Armstrong, Coleman, Garfield, Jennings, Killian, Merritt, Minto, Richey, Shedd, Stephenson and Mr. Speaker—11.

Absent—Messrs. Crook, Littig, McCoy, Miller, Montgomery; Paquet and Wright—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on commerce made the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 11, 1891. }

Mr. Speaker:

Your committee on commerce, to whom was referred house bill No. 102, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Strike out all of sections 2, 3 and 4.

JOHN FOX,
Chairman.

On motion of Mr. Fox, the report and amendments were adopted.

On motion of Mr. Welch, the clerk was instructed to strike out sections 2, 3 and 4.

On motion of Mr. Welch, house bill No. 102 was considered engrossed and passed to third reading.

House bill No. 102 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—Messrs. Durham, Garfield, Killian and Minto—4.

Absent—Messrs. Crook, Littig, McCoy, Meussdorffer, Montgomery and Paquet—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 107 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Blundell, Coleman, Furry, Garfield, Hansard, Jennings, Killian, Leeper, McAlister, Miller, Minto, Moor of Benton, Mulkey, Reed, Richey, Shedd, Stephenson, Weed, Welch, Wilkins, and Mr. Speaker—23.

Nays—Messrs. Baker, Barrett, Botkin, Butler, Durham, Dustin, Fox, Gambee, Hall, Hardy, Hartman, Henry, Johnston, Lamson, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Moore of Washington, Morey, Myer, Paquet, Snider, Starr, Stillwell, Story, Thomas, Thompson, Tracy and Wright—32.

Absent—Messrs. Crook, Holmes, Littig, Montgomery and Stewart—5.

So the bill failed to pass.

House bill No. 31 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Botkin, Butler, Hall, Littig and Montgomery—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 277 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Hall, Littig, Meussdorffer and Montgomery—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 272 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Crook, Durham, Hall, Hartman, Lamson, Leeper, Manning, McCall, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Paquet, Reed, Stephenson, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—31.

Nays—Messrs. Butler, Coleman, Dustin, Furry, Gambee, Garfield, Hansard, Hardy, Henry, Holmes, Killian, McAlister, McCoy, McCracken, Merritt, Minto, Myer, Mulkey, Shedd, Snider, Stewart and Thompson—22.

Absent—Messrs. Fox, Jennings, Johnston, Littig, Montgomery, Richey and Starr—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 11, 1891. }

The house was called to order, Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Littig and Montgomery.

Mr. McCoy moved that the house concur in senate joint resolution No. 1.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell,

Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Littig and Montgomery—2.

So the house concurred.

On motion of Mr. Welch, the clerk was ordered to telegraph the resolution to the clerk of the Washington legislature.

The committee on engrossed bills made the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bills Nos. 227 and 41, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

Mr. Armstrong introduced house concurrent resolution No. 22 and moved its adoption.

HOUSE CONCURRENT RESOLUTION NO. 22.

Whereas the early history of the territory of Oregon is in a chaotic state as regards the early pioneers, those noble men and women who braved the perils and sufferings incident to a long and tedious journey over the then trackless, uninhabited desert; and

Whereas there still remains a full and varied record of the heroic deeds of those brave men and noble women in the office of the secretary of state, the compilation, tabulation and publication of which would redound to the honor of this patriotic people, worthy of adorning the brightest page of American history, and thereby transmit to posterity the fortitude and sacrifices of the men who saved this state to the United States—a state that is to-day the brightest gem in the galaxy of our glorious constellation; and

Whereas many of these early pioneers have passed that bourne whence no traveler returns, and time has laid his heavy hand on the hoary heads of those that remain, let us join with them in erecting to their memory a monument that will stand in the solitude of time, beneath whose shadows nations may crumble and around whose summit generations yet unborn may linger, by the publication of those records, now resting in oblivion in the archives of the state; therefore, be it

Resolved, That the secretary of state be, and he is hereby instructed to cause to be compiled and tabulated and published, as far as is possible from the material in his possession, a complete record of the early Indian wars of Oregon and of the pioneer history preceding such wars and connected therewith, the wars of 1855 and 1856, and that he be instructed to expend not to exceed the sum of fifteen hundred dollars, out of any moneys not otherwise appropriated, for the compilation and tabulation of such historical record, and such other information as will preserve the names and incidents connected with the early settlement and the Indian wars of Oregon, such historical work to be compiled under his direction, by Mrs. Frances Fuller Victor; and be it further

Resolved, That the unexpended balance, if any, shall be returned to the state treasury. The secretary of state is hereby appointed custodian of such book, when published, and he is hereby authorized and directed to sell such book at the actual cost of compilation and publication, and to report to the legislative assembly of 1893 the amount of money received by him as the proceeds of such sales. The secretary of state is further instructed to compile statements showing the services of the soldiers of the Indian wars of Oregon, and to publish the same in pamphlet form for distribution among the veterans of said wars; *provided*, there shall remain a sufficient balance to pay for such compilation after paying for the historical record heretofore mentioned.

On motion of Mr. Paquet, the resolution was ordered printed and made a special order for Friday, February 13, at 10 o'clock A. M.

House bill No. 227 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Littig and Montgomery—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 41 was read the third time.

The question being "Shall the bill pass?" the roll was called and the vote was:

'Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hausard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Meussdorffer, Minto, Moor of Benton, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—51.

Nays—Messrs. Crook, Durham, Manning, Merritt, Miller, Moore of Washington and Thomas—7.

Absent—Messrs. Littig and Montgomery—2.

So the bill passed; and there being no objection, the title of the bill was ordered to stand as the title of the act.

The following report was read:

REPORT.

HALL OF REPRESENTATIVES,)
SALEM, Oregon,)
February 5, 1891.)

To the Honorable the Legislative Assembly of the State of Oregon:

We, your committee appointed under house concurrent resolution No. 4, do most respectfully report:

That in accordance with said resolution, your committee spent the entire day and evening of January 30 in an examination of the various departments and workings of the university of Oregon.

We desire to acknowledge our appreciation of the kind, courteous and frank way in which the faculty and officers of the university assisted us in our examination.

We spent the entire day in critically examining the various departments of the institution, and have no hesitancy in reporting that the university of Oregon is an institution of learning of which the entire state may well be proud.

The faculty and students are earnest and enthusiastic in the work, and we were especially impressed with the diligence and thoroughness which pervades every department.

The university of Oregon is an institution of learning calculated to mature and fit the minds of the young men and women of our state with the highest educational attainments of a thorough collegiate course.

The present scholastic year is an exceedingly prosperous one, the records showing an increase of thirty in the literary department

over last year, and that notwithstanding the fact that the primary department has been discontinued, the academic and public schools of the state being able to do that work.

The total number of students enrolled is 212, distributed among the different counties of the state, as follows: Benton 1, Clatsop 9, Clackamas 5, Crook 4, Douglas 1, Harney 3, Jackson 6, Lake 5, Lane 121, Linn 16, Marion 5, Multnomah 9, Polk 2, Sherman 1, Union 8, Wasco 3, Washington 7, Yamhill 1, state of Washington 5; total, 212.

The large number credited to Lane county is attributable to the fact that many of them are temporarily residing in that county to receive the benefit of the university.

The university has a well selected library to which by the terms of the Villard donation constant additions are being made, but for want of sufficient funds with which to employ a librarian, the management is not able to keep the library open as many hours in the day as it should be.

The importance of free access by the students to the benefit of this department cannot be questioned, and we would, therefore, suggest to the regents that the office of secretary of the regents and librarian be consolidated, with a salary of about \$800 per year, and some competent person employed who could keep the library open at all reasonable times. This could be done with an added expense of only \$350 per year, as the secretary now receives \$400 and the acting librarian \$50 per year.

Another thing we desire to call your especial attention to is the condition of the buildings. The old building was built in 1876, and is badly in need of a new roof and the exterior walls cemented, painted and sanded.

The roof and exterior walls of Villard hall should be painted and sanded. These repairs we think are absolutely necessary in order to preserve the buildings, and the present income of the university is insufficient to pay the general expenses and pay for these needed repairs, and we would, therefore, recommend that there be included in the general appropriation bill the sum of \$5,500, that being the estimated cost thereof, as furnished us by the chairman of the executive committee for the purpose of making these repairs, to be expended under the supervision of the regents.

CHARLES HILTON,

J. H. RALEY,

Senate committee.

JAMES W. WELCH,

J. A. WRIGHT,

J. E. BLUNDELL,

House committee.

On motion of Mr. Stewart, the report was adopted.

House joint resolution No. 7 was taken from the table, and Mr. Armstrong moved to indefinitely postpone the same.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Durham, Fox, Hall, Hartman, Jennings, Johnston, Leeper, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Paquet, Reed, Snider, Starr, Stewart, Stillwell, Thomas, Weed, Welch, Wright, and Mr. Speaker—33.

Nays—Messrs. Barnes, Butler, Coleman, Dustin, Furry, Gambee, Garfield, Hansard, Hardy, Henry, Holmes, Killian, McAlister, Mulkey, Myer, Richey, Stephenson, Story, Thompson, Tracy and Wilkins—21.

Absent—Messrs. Crook, Lamson, Littig, Manning, Montgomery and Shedd—6.

So the resolution was indefinitely postponed.

The following report was read:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 11, 1891. }

Mr. Speaker:

We, your joint committee heretofore appointed under house concurrent resolution No. 12, to visit and report the condition and requirements of the deaf mute school at Salem, beg leave to report as follows:

That we have visited and made a thorough examination of the grounds and buildings connected with and belonging to the Oregon deaf-mute school, situated at Salem, Oregon, and have also made such examination as was possible in the time at command into the workings of the school and industrial departments of said institution, and have carefully examined into the system of finances adopted by the board.

As to the grounds, we are of the opinion that the present site, situated in the populous part of the city, is much too small in area for the economical and sanitary arrangements of said school, and, in our judgment, suitable arrangements should be made very soon for the removal of said school to a suburban location, where more land can be had and where the inmates of the school would have more ample facilities for helping to pay for their maintenance. The buildings we found in good order, cleanly and neatly kept,

while the health of the inmates has been most excellent during the past two years.

The buildings are all of wood, and while probably sufficiently large to accommodate the school for the next two years, will by that time need to be supplemented by large additions, or new buildings elsewhere will have to be provided.

We have not been able to find any just criticism as to the management of the school in any of its departments, and are especially pleased with the care shown in the auditing and payment of bills.

There are now thirty-two pupils in said school, ranging from childhood up to manhood and womanhood. This number would be largely increased if a law should be passed compelling the parents of deaf mutes to send them to this school, and its present capacity would be entirely overtaxed.

After giving careful consideration to the matter, we are led to the conclusion that it would be good business judgment for the state to begin now to make permanent arrangements for the removal of said school to a proper location in the near vicinity of Salem, and to that end we recommend an appropriation by the present legislature of five thousand dollars for the purchase of a suitable site, not to exceed fifty acres, and we herewith present a bill in each house asking that such appropriation be made. We believe the next legislature should then make suitable provision for the erection of permanent buildings on the premises selected and also arrange for the sale of the present site and for the transfer of the management of the institution to a properly-constituted state board.

While the present board have been faithful and efficient in their management of the school, yet they express an entire willingness to transfer the control of it to any properly-constituted authority, when the state assumes to make permanent and proper arrangements for the carrying on of such school.

H. E. CROSS,
P. L. WILLIS,

Senate committee.

J. E. BLUNDELL,
WM. D. STILLWELL,
SAMUEL FURRY,

House committee.

On motion of Mr. Blundell, the report was adopted.

Mr. Barrett moved that house bills Nos. 266 and 267 be indefinitely postponed.

Motion carried.

A telegram from the citizens of Pendleton was read urging the passage of senate bill No. 162.

Mr. Minto was excused on account of sickness.

Senate bill No. 24 coming on for first reading, Mr. Butler moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Littig and Montgomery—2.

So the rules were suspended, the bill read the first time by title, and passed to a second reading without further question.

Mr. Butler moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Butler, Coleman, Dustin, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Leeper, Manning, McAlister, Minto, Morey, Myer, Mulkey, Reed, Richey, Shedd, Stephenson, Stillwell, Story, Welch, Wilkins and Wright—29.

Nays—Messrs. Barrett, Blundell, Botkin, Durham, Fox, Furry, Hall, Jennings, Johnston, Killian, Lamson, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Paquet, Snider, Starr, Stewart, Thomas, Thompson, Tracy, Weed, and Mr. Speaker—28.

Absent—Messrs. Crook, Littig and Montgomery—3.

So the motion was lost.

Senate bill No. 142 was read the first time and passed to second reading without question.

Senate bill No. 149 coming on for first reading, Mr. Story moved that the bill be indefinitely postponed.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd,

Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Minto and Montgomery—3.

So the bill was indefinitely postponed.

Senate bill No. 99 was read the first time and passed to second reading without question.

Senate bill No. 160 was read the first time and passed to second reading without question.

Senate bill No. 95 coming on for first reading, Mr. Hall moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Minto and Montgomery—3.

So the rules were suspended, the bill read the first time by title and passed to a second reading without further question.

Senate bill No. 77 was read the first time and passed to second reading without question.

Senate bill No. 7 was read the first time and passed to second reading without question.

Senate bill No. 76 was read the first time and passed to second reading without question.

Senate bill No. 29 was read the first time and passed to second reading without question.

Senate bill No. 73 was read the first time and passed to second reading without question.

Senate bill No. 69 was read the first time and passed to second reading without question.

Senate bill No. 51 was read the first time and passed to second reading without question.

Senate bill No. 38 was read the first time and passed to second reading without question.

Senate bill No. 178 was read the first time and passed to second reading without question.

Senate bill No. 112 was read the first time and passed to second reading without question.

Senate bill No. 168 was read the first time and passed to second reading without question.

Senate bill No. 110 was read the first time and passed to second reading without question.

Senate bill No. 59 was read the first time and passed to second reading without question.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house joint resolution No. 8, requesting our senators and representative in congress to secure larger appropriations, if possible, for the survey of lands in this state.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

Senate bill No. 122 was read the first time and passed to second reading without question.

Senate bill No. 101 was read the first time and passed to second reading without question.

Senate bill No. 103 was read the first time and passed to second reading without question.

Senate bill No. 161 was read the first time and passed to second reading without question.

Senate bill No. 56 was read the first time and passed to second reading without question.

Senate bill No. 106 was read the first time and passed to second reading without question.

Senate bill No. 66 was read the first time and passed to second reading without question.

Senate bill No. 170 was read the first time and passed to second reading without question.

Senate bill No. 137 was read the first time and passed to second reading without question.

Senate bill No. 8 was read the first time and passed to second reading without question.

Senate bill No. 9 was read the first time and passed to second reading without question.

Senate bill No. 128 was read the first time and passed to second reading without question.

Senate bill No. 91 was read the first time and passed to second reading without question.

Senate bill No. 94 was read the first time and passed to second reading without question.

Senate bill No. 197 was read the first time and passed to second reading without question.

Senate bill No. 193 was read the first time and passed to second reading without question.

Senate bill No. 163 was read the first time and passed to second reading without question.

Senate bill No. 35 was read the first time and passed to second reading without question.

Senate bill No. 100 was read the first time and passed to second reading without question.

Senate bill No. 198 was read the first time and passed to second reading without question.

Senate bill No. 202 was read the first time and passed to second reading without question.

Senate bill No. 25 was read the first time and passed to second reading without question.

Senate bill No. 195 was read the first time and passed to second reading without question.

Senate bill No. 13 was read the first time and passed to second reading without question.

Senate bill No. 182 was read the first time and passed to second reading without question.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 98, a bill to fix and prescribe the fees of county clerk and sheriff of the county of Harney and state of Oregon, and for fixing the time of holding the county court of said county of Harney.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 140, a bill for an act to amend section 3589, chapter 51, of the annotated laws of Oregon, as annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Senate bill No. 68 was read the first time and passed to second reading without question.

Senate bill No. 213 was read the first time and passed to second reading without question.

Senate bill No. 133 was read the first time and passed to second reading without question.

Senate bill No. 203 was read the first time and passed to second reading without question.

Senate bill No. 105 was read the first time and passed to second reading without question.

Senate bill No. 130 was read the first time and passed to second reading without question.

Senate bill No. 92 was read the first time and passed to second reading without question.

Senate bill No. 135 was read the first time and passed to second reading without question.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 84, a bill for an act to amend section 557 of title 5, chapter 6, of the general laws of the state of Oregon, as compiled and annotated by Wm. Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Story was called to the chair.

Senate bill No. 70 was read the first time and passed to second reading without question.

Senate bill No. 107 was read the first time and passed to second reading without question.

Senate bill No. 150 was read the first time and passed to second reading without question.

Senate bill No. 184 was read the first time and passed to second reading without question.

Senate bill No. 164 was read the first time and passed to second reading without question.

Senate bill No. 102 was read the first time and passed to second reading without question.

Senate bill No. 174 was read the first time and passed to second reading without question.

Senate bill No. 96 was read the first time and passed to second reading without question.

Senate bill No. 176 was read the first time and passed to second reading without question.

Senate bill No. 162 was read the first time and passed to second reading without question.

Senate bill No. 123 was read the first time and passed to second reading without question.

Senate bill No. 151 was read the first time and passed to second reading without question.

Mr. Welch moved a call of the house.

The clerk called the roll.

Those present were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins and Wright—55.

Absent—Messrs. Blundell, Littig, Minto, Montgomery and Mr. Speaker—5.

The sergeant-at-arms soon appeared with the absent members and, on motion, further call of the house was dispensed with.

Senate bill No. 201 was read the first time and passed to a second reading without a question.

The speaker submitted the following message from the governor:

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
SALEM, Oregon,
February 11, 1891. }

To the Honorable, the Speaker of the House:

I am directed by the governor to inform you that he has approved and signed the following bills: Senate bill No. 192, senate bill No. 194, house bill No. 10, house bill No. 187, house bill No. 24, house bill No. 63, and the same have been filed in the office of the secretary of state.

The following bills have been filed in the office of the secretary of state, to become laws without the governor's signature: Senate bill No. 5, house bill No. 46, house bill No. 162, house bill No. 12, house bill No. 191, and house bill No. 127.

WM. A. MUNLY,
Private secretary.

Senate bill No. 172 was read the first time and passed to second reading without question.

Senate bill No. 119 was read the first time and passed to second reading without question.

Senate bill No. 43 was read the first time and passed to second reading without question.

Senate bill No. 155 was read the first time and passed to second reading without question.

Senate bill No. 134 was read the first time and passed to second reading without question.

Senate bill No. 88 was read the first time and passed to second reading without question.

Senate bill No. 144 was read the first time and passed to second reading without question.

Senate bill No. 146 was read the first time and passed to second reading without question.

Senate bill No. 145 was read the first time and passed to second reading without question.

Senate bill No. 154 was read the first time and passed to second reading without question.

Senate bill No. 147 was read the first time and passed to second reading without question.

Senate bill No. 179 was read the first time and passed to second reading without question.

Senate bill No. 177 was read the first time and passed to second reading without question.

Senate bill No. 206 was read the first time and passed to second reading without question.

Senate bill No. 83 was read the first time and passed to second reading without question.

Senate bill No. 30 was read the first time and passed to second reading without question.

Senate bill No. 39 was read the first time and passed to second reading without question.

Senate bill No. 212 was read the first time and passed to second reading without question.

Senate bill No. 221 was read the first time and passed to second reading without question.

Senate bill No. 207 was read the first time and passed to second reading without question.

Senate bill No. 173 was read the first time and passed to second reading without question.

Senate bill No. 33 was read the first time and passed to second reading without question.

Senate bill No. 118 was read the first time and passed to second reading without question.

Senate bill No. 98 was read the first time and passed to second reading without question.

Senate bill No. 140 was read the first time and passed to second reading without question.

Senate bill No. 84 was read the first time and passed to second reading without question.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bill No. 65 is reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

Mr. Speaker resumed the chair.

The speaker announced that he was about to sign senate bill No. 65, and shortly afterwards announced that he had so signed.

Mr. McCoy moved that the committee be allowed to report on senate bills.

Carried.

The judiciary committee submitted the following reports :

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker :

Your committee on judiciary, to whom was referred senate bill No. 11, with amendments, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments :

AMENDMENT.

At the beginning of line 3 section 1 of the printed bill supply the words "section 2897."

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report and amendment were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker :

Your committee on judiciary, to whom was referred senate bill No. 48, introduced by Mr. Watkins, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house to the effect that there are no legal objections to its passage.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

The committee on roads and highways submitted the following report :

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 30, 1891. }

Mr. Speaker:

Your committee on roads and highways, to whom was referred senate bill No. 10, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

C. E. MOOR,
Chairman.

On motion of Mr. Moor, the report was adopted.

The committee on railroads and transportation submitted the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1891. }

Mr. Speaker:

Your committee on railroads and transportation, to whom was referred senate bill No. 6, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In the title of the bill, line 2, after the word "governor" insert the words "secretary of state."

AMENDMENT.

In section 1, line 1, after the word "governor" insert the words "secretary of state."

H. B. MILLER,
Chairman.

On motion of Mr. Miller, the report with amendments were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your special committee to whom was referred house concurrent

resolution No. 18, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that senate bill No. 6, referring to same subject, do pass.

H. B. MILLER,
Chairman.

On motion of Mr. Miller, the report was adopted.

The speaker announced the order of business to be the third reading of senate bills.

THIRD READING OF SENATE BILLS.

Mr. Jennings moved to refer senate bill No. 4 to the committee on agriculture.

The motion was lost.

Senate bill No. 4 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—54.

Nays—Messrs. Jennings and Wilkins—2.

Absent—Messrs. Garfield, Littig, Minto and Montgomery—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Paquet, senate bill No. 14 was referred to the committee on counties, with leave to report at any time.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 159, a bill for an act to amend sections 3, 4, 5, 6 and 17 of an act entitled an act to prevent the spread of con-

tagious animal diseases, passed at the session of 1889, and approved February 25, 1889.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Senate bill No. 159 was read the first time and passed to second reading without question.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 219, a bill for an act entitled an act granting to the Riddle Improvement Company a right of way, and to authorize the construction and maintenance of a canal for irrigating, manufacturing, mining and other purposes in Douglas county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Senate bill No. 219 was read the first time and passed to second reading without question.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 138, a bill for an act to protect laborers in timber and logging camps, and to repeal sections 1, 2 and 3 of an act entitled an act to protect laborers in timber and logging camps, approved October 26, 1882, the said sections of said act being identical with sections 3687, 3688 and 3689, of title 2, of chapter 55, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Senate bill No. 138 was read the first time and passed to second reading without question.

The special committee from Coos and Curry, to whom was referred senate bill No. 131, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker:

Your special committee from Coos and Curry, to whom was referred senate bill No. 131, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

By adding the words: "and the assessor four dollars per day" after the word "day," in the last line but one.

AMENDMENT.

By adding the words: "and in Curry county, when the commissioners of the county court shall receive five dollars per day, and the assessor four dollars per day for each and every day employed in the transaction of county business," to the end of section 1.

J. D. GARFIELD,
Chairman.

On motion of Mr. Garfield, the report and amendments were adopted.

Senate bill No. 17 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Mulkey, Myer, Paquet, Reed, Richey, Shedd,

Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Minto and Montgomery—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 18 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—Mr. Holmes—1.

Absent—Messrs. Littig, Minto and Montgomery—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Story was excused on account of committee work.

Senate bill No. 90 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Minto and Montgomery—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on ways and means submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 11, 1891. }

Mr. Speaker:

Your committee on ways and means, to whom was referred senate bill No. 12, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Strike out all after the enacting clause and insert the following:

Section 1. That the governor, secretary of state and state treasurer are hereby constituted a board of capitol building commissioners, of which board the governor shall be chairman, and his private secretary the clerk, who shall, for his services as such clerk, be allowed the sum of one hundred dollars per annum.

Section 2. The board shall meet in the capitol on the first Monday in each month, and at such other times as a majority of its members may deem necessary, upon reasonable notice to all. A majority of its members shall constitute a quorum, and at any monthly meeting the board may adopt such needful rules and regulations for its government as may be deemed convenient and necessary. It shall cause a correct record of its transactions to be kept, and report its proceedings to each regular session of the legislative assembly.

The said board shall without unnecessary delay proceed with the construction of the dome of the said capitol, and provide all necessary apparatus and machinery for properly heating the same, and shall also make such changes and alterations in the hall of the house of representatives as shall in their judgment be necessary to improve the acoustic properties of said hall; and to provide convenient committee rooms for the same.

The board shall have full power and authority to enter into necessary contracts, to purchase material, employ labor and to do and perform all things necessary and proper for faithfully carrying out the purposes of this act.

Section 3. The board shall invite bids by advertisement to be inserted once a week for at least four weeks in such newspapers published in the state, and having a general circulation therein as a majority of the board may designate. Bids may be invited for the entire work or any part thereof, and every bid shall be accom-

panied with an undertaking with one or more sureties, in a sum equal to double the amount of the bid, to be approved by the board to the effect that if his bid shall be accepted, the bidder will perform the work specified therein in accordance with the plans and specifications therefor. The contract shall be let to the lowest bidder, who shall give a good and sufficient bond with surety as aforesaid to the state of Oregon, conditioned for the faithful performance of his contract, which bond if approved and accepted by the board, shall be entered upon its record and filed in the office of the secretary of state. But the board shall have power to reject any and all bids, and to make such changes in the work upon the recommendation of the supervising architect, not materially changing the design upon which said bids were let, or materially increasing the cost, as it may deem advisable and beneficial.

Section 4. The board shall have power and authority to appoint a supervising architect, and necessary superintendents, and shall have general supervision and control over contractors and employes; and if any contractor shall fail to perform any work, or part thereof, in accordance with the terms of his contract, the board may rescind such contract, paying such sum for the work already done, as the same may be worth. All bills for work done or material furnished shall be presented to the board which shall certify the same to the secretary of state, stating the amount due thereon, who shall thereupon audit the same and draw his warrant for such sum as he shall find due.

For the purpose of carrying into effect the provisions of this act, there shall be and hereby is appropriated the following sums for the following purposes, to-wit:

For constructing dome, including necessary plans and specifications, \$50,000.

For providing heating apparatus and machinery, including necessary plans and specifications, \$20,000.

For improvements and alterations in hall of house of representatives, including necessary plans and specifications, \$10,000, or so much thereof as may be necessary for purposes aforesaid; and such sums so appropriated shall be set apart by the state treasurer as a separate fund to be known as the capitol building fund. And all liabilities contracted by virtue of the provisions of this act shall be paid therefrom.

P. PAQUET,
Chairman.

On motion of Mr. Paquet, the report and amendments were adopted.

Senate bill No. 205 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—Messrs. Furry and Lamson—2.

Absent—Messrs. Littig, Minto and Montgomery—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 12 was read the third time and Mr. Barrett moved to strike out the \$50,000 for the dome.

On motion the house adjourned.

EVENING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 11, 1891. }

The house was called to order, Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Barnes, Durham, Furry, Homes, Littig, Minto, Montgomery, Moor of Benton and Story.

Mr. Barrett was called to the chair.

The committee on counties presented the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 11, 1891. }

Mr. Speaker:

Your committee on counties, to whom was referred senate bill No. 14, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line 2 of section 1 of printed bill, after the word "Benton" insert the words "and Clackamas."

AMENDMENT.

In line 5 of section 1, after the word "clerks" insert the words "or recorder's."

AMENDMENT.

In line 1 of section 3, after the word "clerk" insert the words "or recorder."

AMENDMENT.

In line 2 of section 3, after the word "Benton" insert the words "or Clackamas."

AMENDMENT.

In line 1 of section 4, after the word "Benton," and before the word "county" in line 2 of said section, insert the words "or Clackamas."

JUDSON WEED,
Chairman.

On motion of Mr. Weed, the report and amendments were adopted.

Mr. Merritt moved to re-commit senate bill No. 12 for amendment.

On this motion the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Coleman, Garfield, Hansard, Hartman, Henry, Jennings, Lamson, Leeper, Myer, Shedd, Stillwell, Tracy and Wilkins—14.

Nays—Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Crook, Durham, Dustin, Fox, Gambee, Hall, Hardy, Holmes, Johnston, Killian, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Story, Thomas, Thompson, Weed, Welch, Wright, and Mr. Speaker—43.

Absent—Messrs. Furry, Littig and Montgomery—3.

So the motion was lost

Senate bill No. 12 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Crook, Durham, Dustin, Fox, Gambee, Hall, Hardy, Hartman, Holmes, Johnston, Killian, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Snider, Starr, Stephenson, Stewart, Story, Thomas, Weed, Welch, Wright, and Mr. Speaker—42.

Nays—Messrs. Blundell, Coleman, Garfield, Hansard, Henry, Jennings, Lamson, Leeper, Myer, Richey, Shedd, Stillwell, Thompson, Tracy and Wilkins—15.

Absent—Messrs. Furry, Littig and Montgomery—3.

So the bill passed with amendments; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 11 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Henry, Holmes, Jennings, Johnston, Killian, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Morey, Myer, Mulkey, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—48.

Nays—None.

Absent—Messrs. Crook, Hardy, Hartman, Lamson, Leeper, Littig, Manning, Miller, Montgomery, Moore of Washington, Reed and Wright—12.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker resumed the chair.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 11, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bill No. 219, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house bill No. 219, and he shortly announced that he had so signed.

Senate bill No. 48 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Dustin, Fox, Gambée, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Armstrong, Furry, Hardy, Littig, Manning, Miller, Montgomery and Richey—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 117.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 68.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 92.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 98.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 49, a bill for an act entitled an act to provide for the improvement of a wagon road from the Grant county line to Cotton valley in Harney county, Oregon, and to appropriate money therefor.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 186, a bill for an act entitled an act to aid the county courts of Douglas and Coos counties in repairing a wagon road from Looking Glass in Douglas county to Sumner in Coos county, and to appropriate money therefor.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 121, a bill for an act to appropriate money to aid the county court of Benton county to construct a wagon road from tide water on Alsea bay to the mouth of Alsea river, and from the mouth of Fall creek to Mackey's landing on Yaquina bay.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1891. }

Mr. President :

Your joint committee on wagon road appropriations, to whom was referred senate bill No. 121, with instructions to amend by striking out the word "three" in the last line of section 2 and insert the word "one" in lieu thereof, beg leave to report that they have

made the amendments as directed, and would respectfully report it back to the senate with the recommendation that it do pass as amended.

W. SINCLAIR,
Chairman joint committee.

Senate bill No. 10 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Dustin, Fox, Gambee, Garfield, Hansard, Holmes, Jennings, Johnston, Killian, Lamson, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—46.

Nays—None.

Absent—Messrs. Baker, Coleman, Crook, Furry, Hall, Hardy, Hartman, Henry, Leeper, Littig, Manning, Montgomery, Reed and Wright—14.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 43.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

Mr. Blundell moved a call of the house.

The roll was called, and all members were present except Messrs. Crook, Furry, Hall, Henry, Lamson, Littig, Manning, Montgomery and Stillwell.

The sergeant-at-arms was ordered to bring in the absent members.

He soon returned with all but those who had been excused.

On motion of Mr. Welch, further proceedings under the call of the house were dispensed with.

Senate bill No. 6 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Johnston, Killian, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—52.

Nays—Mr. Jennings—1.

Absent—Messrs. Furry, Hartman, Henry, Lamson, Littig, Manning and Montgomery—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 124.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 26.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 39.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

Senate bill No. 131 was read the third time.

On motion of Mr. Thomas, the bill was referred to the Multnomah delegation for amendment, with leave to report at any time.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 62.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

Senate bill No. 14 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Gambia, Garfield, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Fox, Furry, Hall, Hartman, Lamson, Littig, McCoy, Montgomery, Myer, Shedd and Wilkins—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Miller, the house adjourned.

R. R. HAYS,
Chief clerk.

THURSDAY, FEBRUARY 12, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 12, 1891. }

The house was called to order, Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Baker, Fox, Holmes, Littig and Montgomery.

Prayer was offered by Rev. Mr. Bowersox of Salem.

On motion, the reading of the journal was dispensed with.

Mr. Welch introduced house resolution No. 44 and moved its adoption:

HOUSE RESOLUTION NO. 44.

Whereas, the first assistant clerk of this house makes himself very conspicuous by his absence; therefore, be it

Resolved, That the clerk of this house be and is hereby instructed to employ some one to occupy the position of first assistant chief clerk for the rest of this session.

Resolution adopted.

The chief clerk then appointed Mr. W. Huntley Hampton as first assistant chief clerk.

The committee on corporations submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 12, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred senate bill No. 131, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

That the county assessor of Marion county shall receive four dollars per day for his services as assessor; that the assessor of Multnomah county shall receive \$6,000 per annum for his services as assessor.

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report and amendments were adopted. Senate bill No. 131 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Crook, Durham, Dustin, Fox, Furry, Gambia, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—Mr. Butler—1.

Absent—Messrs. Coleman, Garfield, Hall, Killian, Littig and Montgomery—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion, the house took up the second reading of senate bills.

SECOND READING OF SENATE BILLS.

Senate bill No. 24 coming on for second reading, was read the second time.

On motion of Mr. Butler, the bill was referred to the committee on education.

On motion of Mr. Story, Mr. Foster was invited to a seat within the bar of the house.

Senate bill No. 142 coming on for second reading, was read the second time.

On motion of Mr. Shedd, the bill was referred to the committee on commerce.

Senate bill No. 99 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 160 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 95 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 77 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 7 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 76 coming on for second reading, was read the second time.

On motion of Mr. Thomas, the bill was referred to the committee on education.

Senate bill No. 29 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 73 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 69 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 51 coming on for second reading, was read the second time.

On motion of Mr. Wright, the bill was referred to the committee on judiciary.

Senate bill No. 38 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 178 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 112 coming on for second reading, was read the second time.

On motion of Mr. Paquet, the bill was referred to the committee on education.

Senate bill No. 168 coming on for second reading, was read the second time.

On motion of Mr. Johnston, the bill was referred to the committee on corporations.

Senate bill No. 110 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 59 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 122 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 101 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 103 coming on for second reading, was read the second time.

On motion of Mr. Paquet, the bill was referred to the committee on judiciary with leave to report at any time.

Senate bill No. 161 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 56 coming on for second reading, was read the second time.

On motion, the bill was referred to the committee on railways and transportation.

Senate bill No. 106 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 66 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 170 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 137 coming on for second reading, was read the second time and passed to third reading.

Mr. Shedd moved to recall senate bill No. 142 and refer to the committee on commerce.

Carried.

Senate bill No. 128 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 9 coming on for second reading, was read the second time.

On motion of Mr. Welch, the bill was referred to the committee on commerce.

Senate bill No. 8 coming on for second reading, was read the second time.

On motion of Mr. Butler, the bill was referred to the committee on judiciary, with leave to report at any time.

Senate bill No. 91 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 94 coming on for second reading, was read the second time.

On motion of Mr. Jennings, the bill was referred to the committee on claims.

Senate bill No. 197 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 193 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 163 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 35 coming on for a second reading, was read a second time and passed to third reading.

Senate bill No. 100 coming on for a second reading was read a second time.

On motion of Mr. Story, the bill was referred to the Multnomah delegation.

Senate bill No. 198 coming on for a second reading, was read a second time and passed to third reading.

Senate bill No. 202 coming on for a second reading, was read a second time and passed to third reading.

Senate bill No. 25 coming on for a second reading, was read a second time and passed to third reading.

Senate bill No. 195 coming on for a second reading, was read a second time and passed to third reading.

Senate bill No. 13 coming on for a second reading, was read a second time and passed to third reading.

Senate bill No. 182 coming on for a second reading, was read a second time.

On motion of Mr. Baker, the bill was referred to the Marion county delegation, with leave to report at any time.

Senate bill No. 68 coming on for a second reading, was read a second time and passed to third reading.

Senate bill No. 213 coming on for a second reading, was read a second time and passed to third reading.

Senate bill No. 133 coming on for a second reading, was read a second time and passed to third reading.

Senate bill No. 203 coming on for a second reading, was read a second time and passed to third reading.

Senate bill No. 105 coming on for a second reading, was read a second time.

On motion of Mr. Myer, the bill was referred to the committee on judiciary.

Senate bill No. 92 coming on for second reading, was read the second time.

On motion of Mr. Story, the bill was referred to the committee on counties.

Senate bill No. 130 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 135 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 70 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 107 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 184 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 150 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 164 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 102 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 174 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 96 coming on for second reading, was read the second time.

On motion of Mr. Paquet, the bill was referred to the committee on corporations.

Senate bill No. 176 coming on for second reading, was read the second time.

On motion of Mr. Jennings, the bill was referred to the committee on claims.

Senate bill No. 123 coming on for second reading, was read the second time.

On motion of Mr. Welch, the bill was referred to the committee on printing.

Senate bill No. 162 coming on for second reading, was read the second time.

Mr. McCoy moved to refer to the committee on railways and transportation with leave to report at any time.

Lost.

On motion of Mr. Barrett, the bill was referred to the committee on railways and transportation.

On motion of Mr. Welch, the consideration of the bill was made a special order for Tuesday, February 17, at 10 A. M.

Senate bill No. 151 coming on for a second reading, was read the second time and passed to its third reading.

Senate bill No. 201 coming on for a second reading, was read the second time and passed to its third reading.

Senate bill No. 172 coming on for a second reading, was read the second time and passed to its third reading.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bill No. 219.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

Senate bill No. 119 coming on for a second reading, was read the second time and passed to its third reading.

Senate bill No. 43 coming on for a second reading, was read the second time and passed to its third reading.

Senate bill No. 155 coming on for a second reading, was read the second time and passed to its third reading.

Senate bill No. 134 coming on for a second reading, was read the second time.

On motion of Mr. Merritt, the bill was referred to the special committee on agricultural affairs, with leave to report at any time.

Senate bill No. 88 coming on for a second reading, was read the second time and passed to its third reading.

Senate bill No. 144 coming on for a second reading, was read the second time and passed to its third reading.

Senate bill No. 146 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 145 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 154 coming on for second reading, was read the second time and passed to third reading.

On motion of Mr. Welch, senate bill No. 172 was referred to the committee on commerce.

Senate bill No. 147 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 179 coming on for second reading, was read the second time.

On motion of Mr. Blundell, the bill was referred to the committee on education.

Senate bill No. 177 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 206 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 83 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 30 coming on for second reading, was read the second time.

On motion of Mr. Miller, the bill was referred to the committee on education.

Senate bill No. 39 coming on for second reading, was read the second time.

On motion of Mr. Paquet, the bill was referred to the committee on roads and highways, to have the same amended and printed.

Senate bill No. 212 coming on for second reading, was read the second time and passed to third reading.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 38, with the following amendments herewith attached.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

AMENDMENT.

After line 12 in section 1 add: "*Provided*, the place or location of any bridge constructed and the plan thereof shall be submitted to and approved by the secretary of war."

AMENDMENT.

In the fourth line of section 2, strike out the words "governor of the state" and substitute the words "the two judges of the circuit court of the state of Oregon for the county of Multnomah."

AMENDMENT.

In line 2 of section 3, strike out the word "governor" and insert the words "said judges."

AMENDMENT.

In line 6 and first part of line 7 in section 16, strike out the words "governor of the state" and insert the words "the said judges."

On motion of Mr. Meussdorffer, the house concurred in the senate amendments.

Senate bill No. 221 coming on for second reading, was read the second time.

On motion of Mr. Coleman, the bill was referred to the committee on corporations.

Senate bill No. 207 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 173 coming on for second reading, was read the second time and passed to third reading.

The following report was submitted:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker:

Your special committee, to whom was referred senate bill No. 134, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line 8, section 15, engrossed bill, strike out the word "four" before the word "sevenths" and insert the word "five."

AMENDMENT.

In line 10, section 15, engrossed bill, strike out the word "three" before the word "sevenths" and insert the word "two."

E. O. McCOY,
Chairman.

On motion of Mr. Merritt, the report and amendments were adopted.

On motion, senate bill No. 56 was referred to the committee on railways and transportation.

The speaker submitted the following messages from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 34, a bill for an act to authorize the construction of a bridge across the Willamette river between Benton and Linn counties, in the state of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has concurred in the house amendments to senate bill No. 18.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has concurred in the house amendments to senate bill No. 90.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has concurred in the house amendments to senate bill No. 17.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has concurred in the house amendments to senate bill No. 11.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has concurred in house amendments to senate bill No. 12.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has concurred in the house amendments to senate bill No. 6.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has concurred in the house amendments to senate bill No. 14.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 222, a bill for an act to incorporate the city of Medford.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills Nos. 89, 125 and 31 are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 89, 125 and 31, and shortly after announced that he had signed the same.

Senate bill No. 33 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 118, being a substitute for senate bill No. 118, coming on for a second reading, was read the second time.

On motion of Mr. Thomas, the bill was referred to the committee on judiciary.

Senate bill No. 98 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 140 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 84 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 159 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 219 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 138 coming on for second reading, was read the second time and passed to third reading.

Mr. Coleman moved to return temporarily to the second reading of house bills.

Carried.

SECOND READING OF HOUSE BILLS.

House bill No. 231 coming on for second reading, was read the second time.

On motion of Mr. Coleman, the bill was referred to the committee on counties, with leave to report at any time.

On motion of Mr. Moor of Benton, house bill No. 250 was read second time.

On motion of Mr. Moor of Benton, the bill was referred to the special committee on medicine and surgery, with leave to report at any time.

House bill No. 237 coming on for second reading, was read the second time.

On motion of Mr. Johnston, the bill was referred to the committee on public buildings.

The committee on printing submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 12, 1891.

Mr. Speaker:

Your committee on printing, to whom was referred senate bill No. 123, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Section 1, line 4 of printed bill, after the words "Columbia river" insert the words "and Coos bay."

AMENDMENT.

Section 4, line 1, after the words "Columbia river" insert the words "and Coos bay."

A. H. CROOK,
Chairman.

On motion of Mr. Crook, the report with amendments was adopted.

On motion of Mr. Durham, house bill No. 253 was read the second time.

On motion of Mr. Durham, the bill was considered engrossed and passed to a third reading to-morrow.

On motion of Mr. Baker, house bill No. 261 was read the second time.

On motion of Mr. Baker, the bill was referred to the committee on judiciary.

On motion, the house returned to the regular business, this being the third reading of senate bills; and, on motion, this order of business was temporarily passed and the standing committees reported as follows:

REPORT.

HALL OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 3, 1891. }

Mr. Speaker:

Your committee on education, to whom was referred house bill No. 95, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. E. BLUNDELL,
 Chairman.
 WM. ARMSTRONG,
 J. F. HENRY.

On motion of Mr. Blundell, the report was adopted, the bill considered engrossed and passed to third reading.

REPORT.

HALL OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 2, 1891. }

Mr. Speaker:

Your committee on education, to whom was referred house bill No. 133, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

That the title of said bill be changed to read as follows: "A bill for an act to amend an act entitled an act to organize school districts in incorporated towns of twenty thousand inhabitants, and to provide for the maintenance and government of public schools therein, approved October 26, 1882."

AMENDMENT.

That section 1 of said bill be changed to read as follows:

Section 1. That section 4 of an act entitled "An act to organize school districts in incorporated towns of twenty thousand inhabitants, and to provide for the maintenance and government of public schools therein, approved October 26, 1882, be and hereby is amended to read as follows:"

J. E. BLUNDELL,
 Chairman.

Upon motion of Mr. Blundell, the report with amendments were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 11, 1891. }

Your committee on elections, to whom was referred house bill No. 265, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

W. N. BARRETT,
Chairman.

On motion of Mr. Barrett, the report was adopted, the bill considered engrossed, and passed to a third reading.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 12, 1891. }

Mr. Speaker:

Your committee on elections, to whom was referred house bill No. 87, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

W. N. BARRETT,
Chairman.

On motion, the report was adopted, the bill considered engrossed, and passed to third reading.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 11, 1891. }

Mr. Speaker:

Your committee on ways and means, to whom was referred house bill No. 213, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass, for the reason that the bill is not sufficiently guarded, and might work a hardship upon private citizens wishing to sell their own property.

P. PAQUET,
Chairman.

On motion, the report was adopted, the bill considered engrossed, and passed to third reading.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 146, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

After the word "along" on line 5, section 1, printed bill, insert the words, "and including the land now occupied by."

AMENDMENT.

Line 10, section 1, printed bill, after the word "Yankee" insert the words: "Due regard being had to the contract by which the same was located there, as between the respective owners thereof and the agents of the state of Oregon; also any and all payments made thereon."

AMENDMENT.

After the word "ditch" on line 9, section 1, printed bill, insert the following: "Being substantially the following described tract, to wit: Beginning on the east line of the lands of the Oregon state penitentiary, at a point 9.56 chains south, 57° 10' east, from the most easterly outside angle of the base of the tower and at the northeast corner of the brick wall around the penitentiary buildings; thence easterly and southerly, parallel with the center of the Oregon state penitentiary water ditch, to the right bank of Mill creek; thence westerly at right angles to said center line of said ditch at Mill creek bank fifty feet; thence northerly and westerly and parallel with said center line of said ditch to the aforesaid east line of said penitentiary land; thence in a southwesterly direction along said penitentiary lands about fifty feet to the place of beginning."

JOHN H. HALL,
Chairman.

On motion, the report and amendments were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 81, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN H. HALL,
Chairman.

On motion, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 228, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 202, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 2, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 199, with amendments, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out all of section 3 after the word "discharged," on line 6, section 3, printed bill.

JOHN H. HALL,
 Chairman.

On motion, the report and amendment were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 2, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 188, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass amended as follows:

AMENDMENT.

Make the word "certificates" in line 5, section 2, of the printed bill, read "certificate."

JOHN H. HALL,
 Chairman.

On motion, the report with amendment was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 2, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No.

183, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

On line 5 of the printed bill, insert the word "hereby" between the words "are" and "abolished."

AMENDMENT.

After the word "from" in line 9, insert the words "or through."

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report and amendments were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 176, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

On line 6, section 2, of the printed bill, change "1889" to "1881."

JOHN H. HALL,
Chairman.

On motion, the report with amendments was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 179, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Butler, the report was adopted.

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1891. }

Mr. Speaker :

Your committee on judiciary, to whom was referred house bill No. 174, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

On line 3, of the printed bill, strike out the words "subject to indictment therefor," and insert in their stead the words "deemed guilty of a misdemeanor."

AMENDMENT.

On line 5, strike out the amounts "\$50" and "\$500" and substitute "\$10" and "\$50," respectively.

AMENDMENT.

After the word "court," on line 6, insert the sentence: "Justices of the peace shall have jurisdiction of the offense described in this act."

JOHN H. HALL,
Chairman.

On motion, the report with amendments was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon,
February 2, 1891. }

Mr. Speaker :

Your committee on judiciary, to whom was referred house bill No. 177, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

After the word "offer," on line 1 of the printed bill, insert the words "and pay."

AMENDMENT.

On line 3, strike out the word "or," and after the words "grand larceny" and the words "forgery or rape."

AMENDMENT.

After the word "offer," on line 4, insert the words "and pay."

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report with amendments was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred senate bill No. 16, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Amend the original bill so as to make it read as the printed bill now reads.

JOHN H. HALL,
Chairman.

On motion, the report with amendment was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 175, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

On line 2 of the printed bill insert after the word "or" the words "at any time."

AMENDMENT.

On lines 2 and 3 strike out the words "subject to indictment therefor" and insert in their stead the words "deemed guilty of a misdemeanor."

AMENDMENT.

On lines 3 and 4 strike out the words "penitentiary of this state" and substitute therefor the words "county jail."

AMENDMENT.

On line 4 strike out the words "one" and "ten years," and substitute for the former "three months," and for the latter "one year."

AMENDMENT.

On line 5 substitute "ten" for the words "one hundred," and "fifty" for the words "two thousand."

AMENDMENT.

On line 8 strike out the words "by unscrupulous scoundrels."

JOHN H. HALL,
Chairman.

On motion, the report with amendments was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 80, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the house to the effect that there are no legal objections to its passage.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

On motion of Mr. Hall, the bill was withdrawn.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 163, beg leave to report that they have had the same under consideration, and would respectfully report back to the house without recommendation.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred senate bill No. 44, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 129, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the house with the recommendation that it do not pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 79, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 56, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass, for the reason that the same is substantially provided in house bill No. 144.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

On motion of Mr. Coleman, the bill was withdrawn.

On motion, the house adjourned.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 12, 1891. }

The house was called to order, Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Littig, Manning, McCracken, Meussdorffer and Montgomery.

On motion, Mr. Manning was excused on account of illness.

The committee on judiciary submitted the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 64, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 53, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 34, beg leave to report that they have had the same under consider-

ation, and would respectfully report it back to the house with the recommendation that it do not pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 32, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 42, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 152, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the house with the recommendation that it do not pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 28, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 104, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 12, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 29, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 12, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred senate bill No. 105, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the house without recommendation.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

House bill No. 118 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—Mr. Garfield—1.

Absent—Messrs. Littig, Manning and Montgomery—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Speaker submitted a telegram from East Portland citizens, that they were not aware of the citizens' meeting for consolidation.

Resumed the order of business, the

REPORTS OF STANDING COMMITTEES.

The committee on claims submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on claims, to whom was referred house bill No. 165, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. M. McCALL,
Chairman.

On motion of Mr. McCall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 12, 1891. }

Mr. Speaker:

Your committee on claims, to whom was referred house bill No. 190, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. M. McCALL,
Chairman.

On motion of Mr. McCall, the report was adopted.

The committee on military affairs submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 11, 1891. }

Mr. Speaker:

Your committee on military affairs, to whom was referred house bill No. 151, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

WARREN E. THOMAS,
Chairman.

On motion of Mr. Thomas, the report was adopted.

The committee on printing submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1891. }

Mr. Speaker:

Your committee on printing, to whom was referred house bill No. 169, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Strike out of section 2, line 1, printed bill, the words "and commissioners."

AMENDMENT.

In same section, line 5, printed bill, strike out the word "five" and insert the word "ten" in lieu thereof.

AMENDMENT.

Also strike out of same section, line 3, printed bill, the words "and commissioners."

AMENDMENT.

Strike out section 3 and insert the following in lieu thereof: Compensation for the publication of such list of claims and proceedings shall be fixed by the county court; *provided*, that for each square of ten lines of brevier type (newspaper measure), or its equivalent, the cost shall in no case exceed fifty cents per square as aforesaid.

A. H. CROOK,
Chairman.

Mr. Jennings offered the following amendment:

AMENDMENT.

Amend section 1 by adding to the section the following: *Provided*, that the county court shall not be required to publish any claim for which the salary or fees are provided for by law.

On motion of Mr. Crook, the report with amendments were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker:

Your committee on printing, to whom was referred house bill No. 170, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

A. H. CROOK,
Chairman.

On motion of Mr. Crook, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1891. }

Mr. Speaker:

Your committee on printing, to whom was referred house bill No.

115, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Strike out sections 2 and 3 and insert the following:

Section 2. The secretary of state shall cause to be printed on the best quality of newspaper a sufficient number of copies of the general session laws to supply 60 per cent of the entire voting population of the state, and he shall forward to each county clerk sufficient copies of the same to supply 60 per cent of the electors of each respective county, and the county court shall provide for their further distribution.

AMENDMENT.

Strike out section 4 and insert the following in lieu thereof:

Section 3. The cost of the publication herein provided for shall for no one session exceed the sum of four thousand dollars.

Owing to the urgent demand for the laws passed by the legislature, this act shall take effect and be in force from and after its approval by the governor.

A. H. CROOK,
Chairman.

On motion of Mr. Crook, the report with amendments was adopted.
The committee on judiciary submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
January 26, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 77, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass for the reason that the same is provided for in section 1719, Hill's code.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.
The committee on corporations reported as follows:

REPORT.

HALL OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 12, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred senate bill No. 221, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
 Chairman.

On motion of Mr. Story, the report was adopted.

The committee on counties submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 12, 1891. }

Mr. Speaker:

Your committee on counties, to whom was referred house bill No. 216, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Strike out all after the enacting clause and insert the following:

That section 2364 of Hill's annotated laws be amended so as to read as follows:

Sec. 2364. The fees of assessors shall be three dollars per day, except in the counties east of the Cascade range of mountains and Marion, Jackson and Josephine counties, where the assessor shall receive four dollars per day. The assessor in Multnomah county shall receive \$6,000 per annum. The per diem of county commissioners shall be five dollars per day for each day so employed, except in Coos county, where the commissioners shall receive six dollars per day for each day so employed. Whereas the present per diem of county commissioners is not adequate compensation, therefore this act shall be in force from and after its approval by the governor.

JUDSON WEED,
 Chairman.

On motion of Mr. Weed, the report with amendments was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 5, 1891. }

Mr. Speaker :

Your committee on counties, to whom was referred house bill No. 138, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JUDSON WEED,
Chairman.

On motion of Mr. Weed, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 5, 1891. }

Mr. Speaker :

Your committee on counties, to whom was referred house bill No. 150, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass together with the following amendment:

AMENDMENT.

In line 7, of section 1, of printed bill, strike out the word "through"; also strike out lines 8, 9, 10 and 11, and in lieu thereof insert the following: "to the summit of the dividing ridge between the waters of Mill creek and Mosier creek; thence along said dividing ridge through the summit of Mount Hood to the summit of the Cascade mountains; thence along said summit to the place of beginning; and all territory whose waters drain with either Mosier creek, Rock creek, or any of the branches of Hood river, shall belong to and be under the jurisdiction of Cascade county."

JUDSON WEED,
Chairman.

On motion of Mr. Weed, the report with amendments was adopted.

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker :

Your committee on ways and means, to whom was referred house bill No. 263, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

P. PAQUET,
Chairman.

On motion of Mr. Paquet, the report was adopted.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker :

I am directed by the president to inform you that senate bills Nos. 54, 129 and 148 are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 54, 129 and 148, and he shortly after announced that he had signed the same.

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker :

Your committee on federal relations, to whom was referred house joint memorial No. 8, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

Your committee have had the subject matter of this memorial under careful consideration; and while we are unable to furnish an itemized statement of the facts in the case, they are available in the

office of the secretary of state, and we are heartily in accord with the sentiments and justice of the memorial.

WM. ARMSTRONG.

Chairman.

On motion of Mr. Armstrong, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
_____, 1891. }

Mr. Speaker:

Your committee on federal relations, to whom was referred house bill No. 222, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

WM. ARMSTRONG,

Chairman.

On motion of Mr. Armstrong, the report was adopted.

Committee on mines and mining submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 12, 1891. }

Mr. Speaker:

Your committee on mining, to whom was referred house bill No. 21, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. A. WRIGHT,

Chairman.

On motion of Mr. Wright, the report was adopted.

REPORT.

SENATE CHAMBER, }
SALEM, Oregon, }
February 3, 1891. }

Mr. Speaker:

Your committee on agriculture, to whom was referred house bill No. 232, beg leave to report that they have had the same under

consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN MINTO,
Chairman.

On motion of Mr. Minto, the report was adopted.

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 29, 1891. }

Mr. Speaker:

Your committee on agriculture, to whom was referred house bill No. 6, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

The title of the bill shall be: A bill for an act defining the units of weights and measures; creating the office of county sealer of weights and measures, and defining the duties of the state treasurer relative thereto, and providing for the disposition of fines collected under section 1796, chapter 3, title 2, of the criminal code.

AMENDMENT.

Amend section 21 by adding: All acts and parts of acts in conflict herewith are hereby repealed.

JOHN MINTO,
Chairman.

On motion of Mr. Minto, the report and amendments were adopted.

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1891. }

Mr. Speaker:

Your committee on agriculture, to whom was referred house bill No. 192, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

After the words "shall run at large," in section 1, there shall be inserted the words, "in that portion of the state of Oregon known as the Willamette valley, embracing the counties of Multnomah, Clackamas, Marion, Linn, Lane, Benton, Polk, Yamhill and Washington."

JOHN MINTO,
Chairman.

On motion of Mr. Minto, the report with amendments was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1891. }

Mr. Speaker:

Your committee on agriculture, to whom was referred house bill No. 189, beg leave to report that they have had the same under consideration, and would respectfully report it back with the recommendation that it do pass with the following amendments:

AMENDMENT.

That the bill be amended by striking out the figure "6" in line 1 of printed bill, and by inserting in lieu thereof the figure "1."

AMENDMENT.

Also further amend said section by adding after the words "as follows," in line 3 of printed bill, the words:

Section 1. That there is hereby created a state board of horticulture, to consist of six members, who shall be appointed by a board consisting of the governor, the secretary of state and the state treasurer. One member of said board of horticulture shall represent the state at large, and one member shall be appointed to represent each of the five districts hereby created, to wit:

First—The first district, which shall comprise the counties of Multnomah, Clackamas, Yamhill, Washington, Columbia, Clatsop and Tillamook.

Second—The second district, which shall comprise the counties of Marion, Polk, Benton, Linn and Lane.

Third—The third district, which shall comprise the counties of Douglas, Jackson, Klamath, Josephine, Coos, Curry and Lake.

Fourth—The fourth district, which shall comprise the counties of Wasco, Morrow, Gilliam and Crook.

Fifth—The fifth district, which shall comprise the counties of Umatilla, Union, Baker, Wallowa, Malheur and Grant.

AMENDMENT.

That section 6 of said act be amended so as to read as follows:

Also that in line 15, after the word "scions," there shall be inserted the words "that are untrue to name or are."

AMENDMENT.

And in line 24, after the word "act," there be inserted the words "or which are untrue to name."

JOHN MINTO,
Chairman.

On motion of Mr. Minto, the report with amendments was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1891. }

Mr. Speaker:

Your committee on agriculture, to whom was referred house bill No. 75, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments, to wit:

AMENDMENT.

After the word "for," in line 37, of printed bill, add the following: "*provided, further,* that no sheep shall be moved into any county in this state for the purpose of grazing, without first obtaining a certificate of soundness from the stock inspector of the county into which said sheep are being moved."

AMENDMENT.

At the end of the last line there be added the words "and signed by the governor."

JOHN MINTO,
Chairman.

On motion of Mr. Minto, the report with amendments was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1891. }

Mr. Speaker:

Your committee on agriculture, to whom was referred house bill No. 271, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN MINTO,
Chairman.

On motion of Mr. Minto, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 12, 1891. }

Mr. Speaker:

Your committee on commerce, to whom was referred senate bill No. 142, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN FOX,
Chairman.

On motion of Mr. Fox, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 30, 1891. }

Mr. Speaker:

Your committee on railroads and corporations, to whom was referred house bill No. 203, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

H. B. MILLER,
Chairman.

On motion of Mr. Miller, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 11, 1891. }

Mr. Speaker:

Your committee on railroads and transportation, to whom was referred house bill No. 204, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Strike out all after the enacting clause and insert the following:

Section 1. Every railroad company operating a line or lines of railroads located either wholly or partly within the state of Oregon, shall have the right with its line or lines of railroad to intersect, connect with or cross within the said state any other line or lines of railroads, and shall receive and transport without delay or discrimination, the passengers, freight, tonnage and cars coming from or destined to any point on any other railroad, whether presented directly or indirectly, upon reasonable terms and for a reasonable compensation; *provided*, a railroad shall not be required to receive or haul the cars of another company unless such cars are adapted to the gauge of its track and are in a condition for safe transportation.

Section 2. The compensation for receiving, transporting and delivering passengers, freight, tonnage and cars upon and over connecting lines of railroad, as provided in section one (1) of this act, to and from all points in this state, shall be proportioned among the several railroads rendering service therein, according to the number of tons, or fraction of a ton, per mile or fraction thereof, transported by each railroad; but due allowance shall be made for switching, handling of freight and cars and delay in cars, in proportioning the compensation among the several roads rendering service in said transportation; but the rate per ton per mile for the entire distance shall not be greater than the rate charged by these roads, or any of them, for hauling the same class and quantity of freight for an equal distance wholly over their own line; but due allowance may be made for extra switching or handling of cars or freight, but the same shall not exceed the actual cost of said switching or handling; and no concession, drawback, rebate or contract for special rates shall be made which shall not be open to and allowed all connecting lines alike under the same or similar

circumstances, or which would favor one line or lines of connecting railroad to the detriment of any other line.

Section 3. Railroad companies shall transport the empty or loaded cars delivered to them by any connecting line, and unload (if loaded) and return the same with celerity and within a reasonable time; and whenever any railroad company shall use, retain or detain the cars of another company beyond a time reasonable or necessary to transport, deliver, unload or return the same, the company using or detaining said cars beyond said reasonable time shall be liable to a penalty of four dollars and fifty cents per day for each car so unreasonably used or detained.

Section 4. If railroad companies cannot agree upon the proportion of the expense of making any intersection or connection to be borne by each, or upon the compensation for or conditions and terms of receiving and transporting passengers, freight, tonnage or cars, or as to the proportion in which the compensation for transportation of the same shall be divided between them, or upon any demand for advance charges made by any company, the companies, or either of them, shall petition the board of railroad commissioners of this state for relief in the matter or matters in controversy, which petition, hearing, findings and relief shall be conducted and enforced as provided in sections 4013, 4014, 4015, 4016 and 4017 of Hill's annotated laws of Oregon.

Section 5. That if any railroad company or person or corporation operating any railroad in this state subject to the provisions of this act shall violate any of the provisions of this act, such company, person or corporation shall be liable to a penalty of five hundred dollars for each violation thereof, and such penalty may be recovered by an action in the name of the state of Oregon, in any court in any district where such violation shall be made. The railroad commission shall have authority to institute such action through the district attorney of the proper district, and no such action shall be dismissed without the consent of the court and of said commission.

H. B. MILLER,
Chairman.

On motion of Mr. Miller, the report with amendments was adopted, ordered engrossed and printed.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 12, 1891. }

Mr. Speaker:

Your committee on public buildings, to whom was referred house

bill No. 237, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Amend the title so as to read as follows: "A bill for an act to amend sections 2, 3, 4, 5, 6 and 7 of an act entitled an act to amend sections 1, 2, 4, 5, 6 and 8, and to repeal section 9 of an act to authorize Dalles City to incur an indebtedness of fifty thousand dollars for the purpose of providing the city with good and wholesome water, and for the erection and construction or purchase of such water works and reservoir, within or without the limits of the city, as may be necessary or convenient therefor, and to provide for the issuing of bonds and the payment of the principal and interest thereon, approved February 26, 1885, filed in the office of the secretary of state February 19, 1889, and to amend sections 3 and 7 of an act entitled an act to authorize Dalles City to incur an indebtedness of fifty thousand dollars for the purpose of providing the city with good and wholesome water, and for the erection and construction or purchase of such water works and reservoirs, within or without the limits of the city, as may be necessary or convenient therefor, and to provide for the issuing of bonds and the payment of the principal and interest thereof, approved February 26, 1885; and to authorize the council and the board of water commissioners of Dalles City to regulate, and the city treasurer to keep on loan moneys belonging to the water fund of Dalles City, and to authorize the council of Dalles City to incur an additional indebtedness for the purpose of completing the water works of said city."

AMENDMENT.

Strike out all after the enacting clause and insert the following:

Section 1. That section 2 of the act filed in the office of the secretary of state February 19, 1889, be amended so as to read as follows:

Sec. 2. The water works purchased and enlarged or constructed under the provisions of said act and owned by said Dalles City, shall be under the control and management of seven commissioners, who shall be styled collectively "the board of water commissioners of Dalles City," and individually "water commissioners," and which shall, in the first instance, be composed of the following-named resident taxpayers of Dalles City, to wit: Hugh Glenn, August Buchler, M. T. Nolan, Z. F. Moody, Robert Mays, A. S. McAllister and George Ruch, and whose term of office shall be as follows:

Two of said commissioners shall hold their said office until the first Monday of July, 1890, or until their successors are elected and qualified; and their successors shall hold their term of office for the term of three years thereafter.

Two of said commissioners shall hold their office until the first Monday in July, 1891, and until their successors are elected and qualified; and their successors shall hold their said offices for the term of three years thereafter; and the remaining three commissioners shall hold their said office until the first Monday in July, 1892, and until their successors are elected and qualified; and their successors shall hold their said office for the term of three years thereafter; *provided further*, that for the purpose of containing [continuing] said board of water commissioners, they shall be elected as follows: At the next regular city election for Dalles City, two such commissioners shall be elected to take their office on the first Monday of July next; and at the second regular city election for Dalles City such commissioners shall be elected to take their office on the first Monday of July, 1892.

At every such election for water commissioners, one shall be elected from each ward of said city; and at said regular city election for 1892, and at every third regular election thereafter one shall be elected by the qualified voters of said city at large, who shall be known as commissioner at large.

Each of said commissioners to be elected shall be chosen for the term of three years from the first Monday of July following their election, and until their successors are elected and qualified.

Vacancies occurring in said office shall be filled by the majority vote of said board of water commissioners, and [after] their election shall hold office only until the next regular city election, and until his successor is elected and qualified, who shall be elected for the unexpired term of the three years in which said vacancy arose.

Said water commissioners chosen from said wards shall have the same qualifications as councilman, and said water commissioner chosen at large shall have the same qualifications as mayor of said city.

To entitle persons to vote for water commissioners, such persons shall be required to have the same qualifications as voters for councilmen of said city; and said elections to elect water commissioners, as heretofore provided, shall be held after and pursuant to the same notice, and in the same manner, as for other city officers, at the next regular city election of Dalles City, excepting that such notice shall designate the water commissioners, whether at large or from said wards, or from both or all. And it is expressly provided that all former acts and contracts of the board of water commis-

sioners done pursuant to law shall be deemed as the containing [continuing] acts and contracts of the board of water commissioners created and provided for by this act.

Before entering upon the duties of their office, the commissioners shall each take and subscribe an oath or affirmation required of other city officers, and file the same with the city recorder of Dalles City; and the office of any commissioner named in this section, or hereafter elected, as herein provided, who shall fail to file his oath or affirmation with said city recorder, within twenty days after notice of his election, shall be declared vacant, to be filled in the manner provided by this act.

Section 2. That section 3 of said act, filed in the office of secretary of state February 19, 1889, as aforesaid, be amended so as to read as follows:

Sec. 3. The water commissioners shall be inhabitants of Dalles City and qualified voters at the regular city election mentioned in section 1 of this act, and all vacancies occurring in the office of any such commissioner shall be filled by appointment, made by a majority of the remaining water commissioners.

Section 3. That section 4 of the act mentioned in section 1 of this act be amended so as to read as follows:

Sec. 4. Said board of water commissioners shall elect annually one of their number president of the board, whose term of office shall be one year, and until his successor is elected and qualified.

The commissioners shall hold regular meetings at such times as they may appoint by order, and may hold special meetings at such times as they may be requested by written notice from the president.

They shall hold their meetings at such places in Dalles City as they may provide, and a majority of their members shall constitute a quorum for the transaction of any business.

They shall select one of their members secretary, whose term of office shall be fixed by the board as secretary, and who shall keep a correct minute of their proceedings.

All claims or debts incurred by the board of water commissioners shall be audited by said board, and when audited and allowed, warrant therefor, signed by the president and secretary of said board, shall be drawn against the water fund of said city on the city treasurer thereof, who shall pay the same out of any funds belonging to said water funds belonging to said city applicable thereto; or for want of such funds he shall indorse such warrants "Not paid for want of funds," giving the date thereof, which shall entitle such warrants to draw interest from such date until paid, or until called for payment, at the rate of eight per cent per annum.

Section 4. That section 5 of the act mentioned in section 1 of this act be amended so as to read as follows:

Sec. 5. It shall be the duty of the said board of water commissioners, by and with the consent of the council, to negotiate the sale of bonds provided for by this act. It shall also be their duty to make contracts for the erection and construction or purchase and enlargement of the necessary aqueducts and reservoirs; the laying of the mains and pipes through the streets and alleys in Dalles City; to make and estimate the cost of the water works, and to perform all other things for the purchasing and extending or constructing, operating, improving and maintaining of a good and substantial system of water works for the use of the city for fire and domestic purposes; *provided, however*, that before any of the bonds provided for by this act shall be sold, said board of water commissioners shall cause a notice to be published in the *Morning Oregonian* six times a week for at least four consecutive weeks, and cause such notice to be published in such other papers and for such time as said board shall direct, to the effect that said bonds will, at a time named in said notice, be offered for sale by said board, and inviting sealed bids therefor, and requiring each bidder to name in his bid the lowest rate of interest at which said bonds will be taken, at not less than their face value, paying cash in hand therefor; *provided, further*, that said council shall reserve the right to reject any and all bids made in accordance with said notice, and shall accept no bids except for cash in hand and at the par value of said bonds, and at a rate of interest not to exceed eight per cent per annum.

Section 5. That section 6 of the act mentioned in section 1 of this act be amended so as to read as follows:

Sec. 6. The corporate authorities of Dalles City are hereby authorized and empowered, for the purpose of paying the interest on any water bonds of said city, legally issued, or to be issued in addition to the tax now authorized by Dalles City charter, to levy annually the additional sum of one-half of one per cent upon all of the taxable property within said city; and said board of water commissioners may provide for the collection of a water tax from all the consumers of said water, and impose fines and penalties for refusing or neglecting to pay the same, and establish the rate, time, and manner in which it shall be paid; and all moneys collected and received under the provisions of this section shall be applied to the payment of said bonds and interest and the maintenance of said water works, and for no other purpose whatsoever except as hereinafter provided; *provided, however*, that after such bonds and interest shall have been fully paid, the said board of water commissioners shall collect only such an amount from the inhabitants of said city

as shall be sufficient to maintain said water works in good repair; and said board of water commissioners is hereby empowered to adopt all rules and regulations necessary or proper to enforce their control and management of said water works and water of said city, and to regulate the use and consumption of said water.

Section 6. All moneys received by Dallas City from the sale of any bonds of said city legally issued or to be issued for water purposes, unexpended, shall be kept by the treasurer of Dallas City in a separate fund known as the water fund.

Section 7. It shall be the duty of the said city treasurer to keep all funds that may come into his possession in accordance with the provisions of any preceding sections of this act, or of any act of which this is amendatory, which shall be known and designated as the water fund of Dallas City, except such as may be immediately needed to pay running expenses or the principal or interest of the water bonds hereinafter referred, and to loan said sum to responsible parties upon real estate security only, approved by a majority of said water commissioners and the city attorney. Such security shall be worth not less than three times the amount of such loan, exclusive of improvements, and the title shall be approved by said city attorney. And it is further provided, that no loan shall be made for a longer period than one year from the making thereof, and at not less than eight per cent per annum net; and the borrower to pay all taxes levied upon the mortgage.

Section 8. That section 7 of the act entitled "an act to authorize Dallas City to incur an indebtedness of fifty thousand dollars for the purpose of providing the city with good and wholesome water, and for the erection and construction or purchase of such water works and reservoirs within or without the limits of the city as may be necessary or convenient therefor, and provided for the issuing of bonds and payment of the principal and interest thereon," approved February 26, 1885, be amended so as to read as follows:

Sec. 7. The board of water commissioners of Dallas City, or its agents, shall have the right to enter upon any lands outside of the limits of Dallas City for the purpose of examining, locating, and surveying the line of such canal, conduits, pipes, or mains, doing no unnecessary damage thereby; and whenever it shall become necessary for said board or Dallas City to convey the water into said city from any stream, river, or creek, as provided in this act, over or across the lands of any person or persons, then the board of water commissioners shall have power to purchase the right of way over such land; and in event that the owner or owners of such land and the board shall be unable to agree upon the amount of damage to be paid by Dallas City, then it shall be lawful for Dallas

City, by said board of water commissioners, to appropriate so much of said lands for a right of way as may be necessary for the line of such canal, conduits, pipes, or mains, in the manner provided in title 3 of chapter 7 of the miscellaneous laws of the state of Oregon; and whenever it shall become necessary for said board to appropriate any portion of any lot or lots within the limits of Dallas City for the purpose of bringing the water into said city for fire and domestic purposes, the said board may appropriate the same in the manner provided in said title 3 of chapter 7 of the miscellaneous laws of the state of Oregon. Said action shall be brought in the name of Dallas City, to the use of said board of water commissioners.

Section 9. That section 8 of said act mentioned in section 1 of this act be amended so as to read as follows:

Sec. 8. Whenever the board of water commissioners of Dalles City shall decide to purchase and enlarge or erect and improve the water works as in this act provided, then it shall be the duty of the said board of water commissioners to cause a notice to be published in some newspaper of general circulation, published weekly in said county, for at least four weeks in succession, inviting sealed proposals for the erection of said works, giving a minute description of the same; or if said board shall decide to purchase any water works now owned and operated by any person, persons, company or corporation within said city, and shall decide to enlarge said water works so purchased, then such water works to be so extended and enlarged, minutely describing the same.

Bids may be received for the performance of all work or any part thereof, which shall not materially conflict with the completion of the remaining portion, or for furnishing materials. Said work must be let in whole or in part, as above provided, to the lowest responsible bidder; *provided*, that the board of the Dalles City shall have the right to reject any and all bids; *provided further*, that on and after the date this act goes into effect, all such notices shall be published by and at the instance of the board of water commissioners, and all such bids shall be received by and shall be accepted or rejected by said board of water commissioners, and all contracts pertaining to such purchase, enlargement, erection and construction of such water works shall thereafter be made by and with said board of water commissioners; *providing further*, that no purchase shall be made nor any contract let hereunder, hereinbefore provided, until all the bonds issued under the provisions of the act of which this act is amendatory, or under this act, shall have been sold and the money received therefor shall have been paid into the hands of the city treasurer.

The board of water commissioners shall provide for the faithful performance of any contract let under this act, and the provisions thereof may be enforced by action, suit or proceeding in the name of Dalles City, whether such contract shall have been made by the council or such board; *provided further*, that all contracts made, liabilities incurred, or trusts imposed in pursuance of any of the provisions of this act, or any act of which this is amendatory, by said council or board of water commissioners, shall hereafter be continued and enforced in like manner as if made by said board of water commissioners after said date.

Section 10. In addition to the powers now conferred upon the council of Dallas City, said council is hereby authorized and empowered to bond the credit of said city by the issuance of taxable water bonds of said city, payable in such time as said council may designate, in any sum not to exceed \$25,000, to complete and perfect the water system of said Dalles City; *provided, however*, that before said bonds shall be issued said council shall provide by ordinance for the submission of said question of the issuance of said bonds, and the amount thereof, to the approval of a majority vote of the qualified voters of said Dalles City who actually pay a property tax therein, which said election shall be held, and said question submitted at such times and in such manner as said council shall provide by ordinance. If said bonds shall be issued, the proceeds thereof shall be paid into the city treasury, to be left in said water fund and subject to draft thereon as such funds.

Section 11. All contracts made, obligations or trusts imposed, all suits or actions commenced, or choses in action existing under any of the provisions of the act herein amended or repealed, shall be continued and remain unimpaired, and to that extent the provisions of said acts amended or repealed shall be deemed as continuing in force.

Section 12. Inasmuch as there is immediate necessity for the additional powers granted by this act to said board of water commissioners and to said council, this act shall take effect and be in force from and after its approval by the governor.

GEO. W. JOHNSTON,
Chairman.

On motion of Mr. Johnston, the report with amendments was adopted.

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 3, 1891. }

Mr. Speaker:

Your committee on fisheries, to whom was referred house bill

No. 166, a bill for an act to protect meadow larks, robins and other birds, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

A. W. REED,
Chairman.

On motion of Mr. Reed, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1891. }

Mr. Speaker :

Your committee on fisheries, to whom was referred house bill No. 157, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

A. W. REED,
Chairman.

On motion of Mr. Reed, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1891. }

Mr. Speaker :

Your committee on fisheries, to whom was referred house bill No. 54, introduced by Mr. Morey, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line 4, section 3, after the word "bluebird" insert the word "singing."

AMENDMENT.

Strike out all of line 6 after the word "informer," and all of line 7 of section 4, printed bill, and insert the following: "And one-half to the common school fund of the county."

A. W. REED,
Chairman.

On motion of Mr. Reed, the report with amendments was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1891. }

Mr. Speaker:

Your committee on fisheries, to whom was referred house bill No. 112, beg leave to report that they have had the same under consideration, and would respectfully report back to the house a substitute bill with the recommendation that it do pass.

A. W. REED,
Chairman.

SUBSTITUTE FOR HOUSE BILL NO. 112.

A bill for an act to amend sections 1930, 1933, 1935, 1936, 1937, 1939, 1941, 1943, 1948, and section 1940, as the same was amended by section 2 of an act of the legislature of the state of Oregon, approved February 25, 1889, of the codes and general laws of the state of Oregon, compiled and annotated by William Lair Hill, providing for the protection of the game and fish of the state of Oregon, and providing for the creation of a fund for the protection of the game and fish of this state.

Section 1. Section 1930 shall be amended so as to read as follows:

Sec. 1930. Every person who shall, within the state of Oregon, between the first day of January and the fifteenth day of August in each year, hunt, pursue, take, kill, or destroy any male or female deer, buck, or doe shall be guilty of a misdemeanor.

Every person who, after the passage of this act, shall kill any spotted fawn, shall be guilty of a misdemeanor.

Every person who, after the passage of this act, shall take, kill, or destroy any male or female deer at any time, unless the carcass of such animal is used or preserved by the person slaying it, or is sold for food, is guilty of a misdemeanor.

Section 2. That said section 1933 be amended so as to read as follows:

Sec. 1933. Every person who shall, within the state of Oregon, between the first day of April and the first day of September of each year, take, kill, injure, or destroy, or have in possession, sell, or offer for sale, any wild swan, mallard duck, wood duck, widgeon, teal, spoonbill, gray, black, sprigtail, or canvas-back duck, shall be guilty of a misdemeanor; *provided*, that any person may kill ducks at any time to protect his growing crops.

Section 3. That said section 1935 be amended so as to read as follows:

Sec. 1935. Every person who shall, within the state of Oregon, between the first day of January and the fifteenth day of August of each year, take, kill, injure, or destroy, or have in possession, sell, or offer to sell, any grouse, pheasant, quail, or partridge, shall be guilty of a misdemeanor.

Section 4. That said section 1936 be amended so as to read as follows:

Sec. 1936. Every person who shall, within the state of Oregon, during the months of November, December, January, February and March of any year, catch, kill, or have in possession, sell, or offer for sale, any trout, or salmon trout, or any species or variety of trout, or salmon trout, or any salmon, or species or variety of salmon of less than two pounds weight, shall be guilty of a misdemeanor.

Every person who shall, within the state of Oregon, take, attempt to take, or catch, with any seine, net, weir, or any other device than hook and line, any trout, or salmon trout, or any species or variety thereof, or any variety of salmon of less than two pounds' weight, at any time after the passage of this act, shall be guilty of a misdemeanor.

Section 5. That said section 1937 be amended so as to read as follows:

Sec. 1937. Every who shall, within the state of Oregon, at any time after the passage of this act, trap, net, or ensnare, any quail, or bob-white, prairie chicken, grouse, or pheasant, or have in possession any live quail, or bob-white, prairie chicken, grouse, or pheasant, except for the purpose of propagation, shall be guilty of a misdemeanor.

Section 6. That section 1939 be amended so as to read as follows:

Sec. 1939. Every person who shall, within the state of Oregon, have any male deer or buck, or any female deer or doe, or spotted fawn, elk, moose, or mountain sheep, swan, mallard duck, wood duck, widgeon, teal, spoonbill, gray, black, sprigtail, or canvas back duck, prairie chicken, or sage hen, grouse, pheasant, quail, bob-white, or partridge, trout, or salmon trout, or any species thereof, or any salmon of less than three pounds' weight, at any time when it is unlawful to take or kill the same, as provided in this act, except for breeding purposes, shall be guilty of a misdemeanor; and proof of the possession of any of the aforesaid animals, fowls, birds, or fish at any time when it is unlawful to take or kill the same in the county where the same is found, shall be *prima facie* evidence in any prosecution for a violation of any of the provisions of this act that the person or persons in whose possession the same is found, took,

killed or destroyed the same in the county where the same is found during the period when it is unlawful to take, kill or destroy the same.

Section 7. That said section 1940, as the same is amended by section 2 of an act entitled an act to amend sections 1932 and 1940, approved February 25, 1889, be amended so as to read as follows:

Sec. 1940. Every person convicted of a violation of any of the provisions of this act, shall be punished by a fine of not less than ten dollars and not more than three hundred dollars, or imprisonment in the county jail of the county where the offense was committed for not less than five days nor more than three months, or both such fine and imprisonment.

All moneys collected by fines for the violation of the provisions of this act, and of the game and fish laws of this state, shall be paid to the state treasurer, the same to constitute a fund to be known as "A fund for the protection of the game and fish of the state of Oregon."

Section 8. That said section 1941 be amended so as to read as follows:

Sec. 1941. Every person who shall, within the state of Oregon, between the first day of January and the fifteenth day of August of each year, take, kill, injure, or destroy, or have in possession, except for breeding purposes, or for show, or curiosity, any ring-neck Mongolian pheasant, any green Japanese pheasant, any copper pheasant or scholmeringer, any tragopan pheasant, silver pheasant, or golden pheasant, being the species of pheasant imported into this state by the Hon. O. N. Denny, ex-United States consul-general to Shanghai, China, shall be guilty of a misdemeanor.

Any person who shall take or have in possession any of the eggs of any of the above-described Chinese pheasants at any time shall be guilty of a misdemeanor; *providing, however*, that this law shall not apply to eggs obtained from birds in captivity or confinement. Any person who shall, within the state of Oregon, at any time, sell, or offer to sell, buy, or offer to buy, except for breeding purposes, or for show or curiosity, or any transportation company, express company or common carrier, who shall carry, or transport, or have in possession, except when accompanied by the owner, or except for breeding purposes, or for show, or curiosity, any of the above-named varieties of Chinese pheasants, shall be guilty of a misdemeanor.

Section 9. That section 1943 shall be amended so as to read as follows:

Sec. 1943. All moneys collected by fines imposed and collected under the provisions of this act, shall be paid to the state treasurer,

the same to constitute a fund to be known as "a fund for the protection of the game and fish of the state of Oregon."

Section 10. That said section 1948 be amended so as to read as follows:

Sec. 1948. It shall be unlawful for any person or persons, at any time, to place, or use, in any of the streams or rivers of this state, any drugs, charms, powder, or use any giant-blasting or gun-powder, or other explosive material, for the purpose of catching, killing, or destroying, fish, or to place, or allow to be placed, in any such streams any sawdust; and any person violating the provisions of this section shall be fined twenty dollars for the first offense, double that sum for the second, and treble that sum for each succeeding offense, to which may be added imprisonment for any time not exceeding ninety days.

On motion of Mr. Reed, the report and substitute bill were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1891. }

Mr. Speaker:

Your committee on fisheries, to whom was referred house bill No. 94, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass, as house bill No. 112 covers this subject.

A. W. REED,
Chairman.

On motion of Mr. Reed, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1891. }

Mr. Speaker:

Your committee on fisheries, to whom was referred house bill No. 136, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

A. W. REED,
Chairman.

On motion of Mr. Reed, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1891. }

Mr. Speaker:

Your committee on fisheries, to whom was referred house bill No. 224, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

After the word "red-fish" strike out the words "lake trout."

A. W. REED,
Chairman.

On motion of Mr. Reed, the report with amendment was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1891. }

Mr. Speaker:

Your committee on fisheries, to whom was referred house bill No. 215, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Section 2, where the word "elk" appears, it shall read: "elk shall not be killed at any time for a period of five years."

AMENDMENT.

Section 7 shall read: "One-half to the common school fund. Justices of the peace shall have jurisdiction over all cases as other courts."

A. W. REED,
Chairman.

On motion of Mr. Reed, the report with amendments was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1891. }

Mr. Speaker:

Your committee on fisheries, to whom was referred house bill No. 223, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Strike out all of section 2.

AMENDMENT.

Change the number of section 3 to section 2, and section 4 to section 3.

A. W. REED,
Chairman.

On motion of Mr. Reed, the report with amendments was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 11, 1891. }

Mr. Speaker:

Your committee on public lands, to whom was referred house joint memorial No. 4, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out all after the word "acre" in line 15 to and including the word "money" in line 19 of said bill.

A. C. JENNINGS,
Chairman.

On motion of Mr. Jennings, the report with amendment was adopted.

The joint committee appointed by the senate and house of representatives to visit the state agricultural college at Corvallis, and to

investigate the workings, books and accounts, etc., of the same, reported as follows:

REPORT.

To the Honorable Speaker of the House of Representatives of Oregon:

We, your joint committee appointed to examine into the affairs of the state agricultural college, beg leave to submit the following report:

We visited the college located at Corvallis and examined into the affairs of all the departments so far as the limited time at our disposal would permit. We examined into the system of making appropriations for the different departments, manner of disbursements, etc. The books, checks, vouchers, requisitions, stubs, correspondence, and the entire system of accounts was cheerfully laid before us by the authorities of the college, and we find that the books have been carefully and systematically kept, and that properly certified vouchers are on file in the treasurer's office for all expenditures made since the school has been under the state control and in the hands of the present board of regents. We therefore have no fault to find with the books.

We beg leave to report further that we made inquiry into the workings of the different departments of the college and experiment station, and believe that there is evidence on every hand to show that the management are striving to educate the students committed to their care in the lines of work for which the endowments have been made, and we believe that the board of regents are working in perfect harmony to this end.

We believe that the appropriations made at last session of the legislature for the purchase of land and the erection of buildings for the use of the college and station have been wisely and judiciously expended.

We find that the increase of students has been so rapid (the number present during the first year being 93, and now while only in the second quarter of the third year there are 200 registered) it is necessary that additional buildings be provided, or the board of regents will be compelled to advertise to the state that no more students can be received.

We believe that the people of the state are anxious to have the good influence of this school extended to the greatest number, and we therefore recommend that the necessary buildings be provided for the accommodation of the increasing number of students that we feel sure will want the benefits of an agricultural and mechanical education.

In closing this report, we beg leave to submit the following extract

from the report of the U. S. senate committee of education and labor, which expresses our views: "These institutions are now thoroughly established and have already demonstrated that they must be accepted as among the chief agencies through and by which the new and practical industrial education of the people is to be accomplished.

Perhaps contrary to the general impression, the proper equipments of one of these colleges is far more expensive, being at least ten times greater than that of an ordinary classical institution. A college of agriculture and the mechanic arts is not a cheap affair, and the sooner we awake to the idea that it will and ought to cost something to spread the knowledge of facts and principles which will change the drudgery of common toil to the dignity and delight of intellectual and ennobling occupation, the better.

Respectfully submitted,

E. T. HATCH,
R. M. VEATCH,
Senate committee.
E. O. McCOY,
JUDSON WEED,
J. F. HENRY,
House committee.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your special committee, to whom was referred house bill No. 155, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

O. F. BOTKIN,
Chairman.

On motion of Mr. Botkin, the report was adopted.

The joint committee appointed to examine the books and mode of conducting the state penitentiary, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1891. }

To the Honorable Legislative Assembly of the State of Oregon:

We, the joint committee, appointed to examine the books of the

penitentiary and the mode of conducting the institution, have visited the premises and made a thorough examination of its books and the various departments of the prison.

We find the running expenses of the penitentiary for the two years, 1889-90, amount to \$72,283.26, which includes the total cost of feeding, clothing and guarding the prisoners, the number of whom has averaged 295 during the term mentioned. The cost also of buying a new suit of clothes for each discharged convict and presenting him with \$5 on his release is included in these figures, as also the purchase of work teams for cultivating penitentiary fields.

The superintendent of the prison handles no moneys belonging to the state. When he pays a bill incurred by the institution, he draws a voucher to be presented to the secretary of state, who endorses it and draws a warrant on the fund mentioned in the voucher, which warrant is presented to the state treasurer for payment.

The last legislature appropriated sums aggregating \$81,580 for the benefit of the penitentiary, divided into sixteen funds, as follows:

General expense	\$34,000 00
Guards	13,200 00
Shop guards	5,760 00
Wardens	4,200 00
Superintendent	3,000 00
Watchman	3,960 00
Erecting water tower and tank	3,500 00
Concrete floor in workshops	3,500 00
Engineer	1,800 00
Book-keeper	1,800 00
Physician	1,000 00
Firewood	3,000 00
Teamster	960 00
Ventilation	800 00
Iron fence	600 00
Repairing roof	500 00
There remains a surplus unused in the guard fund of	3,424 57
In the concrete floor fund	3,469 26
Ventilation fund	622 23
Shop guard fund	117 00
Engineer fund	202 00
In the repairing roof, tower and tank, iron fence and watchman funds the unused money amounts to	4 99
There is a deficit in the general fund of	2,485 62
In the firewood fund	1,965 82

The remaining funds are balanced.

According to the report of the last legislative committee of investigation, the average cost per annum of keeping each prisoner during 1887-8 was \$133.99.

The average cost during 1889-90 was \$122.50, showing a reduction in the cost of feeding, clothing and guarding each prisoner for the past two years of \$11.49 per annum.

The concrete floor fund was not used on account of the objections on the part of the Northwestern foundry, in whose employ the most of the convicts have been kept making stoves. The objections were on the ground that prisoners would find the matter of breaking castings on the hard floor very easy, and that it would be difficult for the prison authorities to tell whether the breakages occurred accidentally or through the malicious intent of the prisoners. As a plank floor, laid close on the ground, would proceed to rot immediately on its completion, and prison discipline would not admit of a space underneath a plank floor, which affords prisoners convenient hiding-places, your committee would recommend laying concrete wherever new floors are necessary, and covering the runways and exposed portions with planks, thus insuring dry, firm and lasting foundations without additional risk of breaking castings.

At the present rate of increase of prisoners, the penitentiary will contain about 450 prisoners by the next regular session of the legislature. There are only cells enough to confine 404, with two in each cell. We therefore recommend that twenty-four double cells and thirty-two single cells of the material such as is now used in the prison, be purchased and added to the tiers on the north and south wings. These will cost in the neighborhood of fourteen thousand dollars and accommodate eighty prisoners.

The motive power of the prison is used by an electric-light company during the night, for the purpose of lighting the state house, insane asylum, and penitentiary. As much higher speed is necessary in the production of light, the additional friction on the machinery of the stove works injures and wears it inordinately. We would recommend that the state take charge of and run the electric plant, with special motive power for the purpose.

About 13,000 pounds of pork per annum is raised by convict labor, the swill from the penitentiary kitchens being utilized in doing so. The present hog sheds and cow stables are in a swampy locality and in a decaying condition, and new buildings should be erected on higher ground. Two thousand dollars will buy sufficient lumber for building these sheds and renewing the various line fences on the grounds, which are also in an advanced state of decay. The work of building sheds, pens and fences can be done by prison labor.

The guards and employes at present are obliged to sleep in sheds and stables in the vicinity of the prison. As these men should always be within call, we recommend that a few cheap cottages be built on the grounds and rented to the officers and guards at reasonable rates.

All moneys earned by the penitentiary are paid into the state treasury. During the past two years the Northwestern foundry has paid in for convict labor, \$41,179.41. The amount paid by the United States for the board of military and civil prisoners, and that received through minor incidental sources, amounts to \$5,860.82; so the institution for the past two years has come within \$12,621.51 per year of being self-sustaining.

The amounts expended in buildings and improvements, and for firewood used in burning 1,100,000 brick for the reform school, have not been figured in the running expenses of the prison; neither has the value of the brick been credited to its earnings.

We are of the opinion that the penitentiary, under Mr. Downing's management, is and has been conducted upon strictly economical business principles, and that the supervision could not be in better hands. The system of keeping the books is plain and direct, and the work of overhauling them is therefore comparatively plain and easy. Both Mr. Downing and the officers of the institution have courted the fullest investigation of all the departments.

We recommend the following appropriation for the years 1891-2:

General expenses	\$37,000 00
Guards	12,200 00
Shop guards	7,200 00
Wardens	4,200 00
Superintendent	3,000 00
Watchman (principal and outside)	4,200 00
Concrete floor in shops	3,500 00
Wooden floor covering concrete	500 00
Engineer	1,800 00
Bookkeeper	1,800 00
Physician	1,000 00
Teamster	960 00
Fencing penitentiary lands	1,000 00
Material for hog pens and cow sheds	1,000 00
Building cottages for guards and employes	1,500 00
Firewood	3,500 00
Painting prison	1,800 00
Twenty-four iron cells	14,000 00

The sum of \$500 per annum should be placed at the disposal of the superintendent, to be used at his discretion for the purpose of

moral education of the prisoners. Under our constitution, no chaplain can be employed, and so the work of reclaiming the prisoners, many of whom are young men, has been left entirely to the desultory efforts of the ministers and people of Salem. In most other states a chaplain is employed, whose duty it is to pass upon all correspondence coming in and going out of the prison, and to look after the moral advancement of the prisoners.

Respectfully submitted,

C. E. MOOR,
T. CAMERON,
W. F. MATLOCK,
E. W. BARNES,
A. C. JENNINGS.

On motion, the reading of the report was dispensed with and the report ordered printed.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 12, 1891. }

Mr. Speaker:

Your special committee, to whom was referred house bill No. 250, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Insert after the word "act," in line 10, section 7, "*provided*, that nothing in this act shall prevent any druggist in the meaning of this act from employing any assistant which said druggist may need in any department of his business, although such assistant may not possess the qualification herein described; *provided further*, that such druggist shall be liable for the action of said clerk."

AMENDMENT.

In section 8 strike out all after the word "act" in line 10; also strike out lines 11, 12, 13 and 14 of said section.

E. W. BARNES,
O. F. BOTKIN,
Chairman.
J. F. HENRY.

On motion of Mr. Botkin, the report with amendments was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 12, 1891. }

Mr. Speaker:

Your committee on corporations, to whom was referred senate bill No. 96, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Section 1. That section 1 of the above-entitled act be amended so as to read as follows:

Sec. 1. Any surety company with a paid up capital of two hundred and fifty thousand dollars, and having assets of five hundred thousand dollars, incorporated under the laws of any state of the United States, either solely, or among other things, for the purpose of transacting business as surety on obligations of persons, or corporations, may transact such surety business in this state upon complying with the provisions of this act and not otherwise. Every such surety company must show to the insurance commissioner of this state that it is possessed of the capital and assets required by this section, and shall pay to such commissioner the sum of one hundred dollars annually for a license to transact such business in this state. If such surety company is engaged in other insurance business, it shall pay the above license, together with the license or licenses required by law for the transaction of such other business. The insurance commissioner shall dispose of all moneys received for such licenses as required by the laws regulating insurance licenses.

AMENDMENT.

Amend section 2 of said bill so as to read as follows:

Sec. 2. Inasmuch as the present law unnecessarily restricts the admission of surety companies, and as the public interests would be subserved thereby, this act shall take effect and be in force from and after its approval by the governor.

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report with amendments was adopted.

REPORT.

To the Honorable the Legislative Assembly of the State of Oregon:

We, your committee, appointed under senate concurrent resolution No. 1, most respectfully submit:

That in accordance with said resolution, your committee visited the locks at the cascades of the Columbia January 25, and made a careful examination of the work of opening the Columbia river for navigation now being carried on by the government at that place.

We desire at this time to publicly express our appreciation of the kind and courteous way in which we were received and assisted in our examination by Major Handbury, the officer in charge of the government works.

We feel that all is being done that can be done in hastening the completion of the canal, with the appropriations available. A conglomerate bedrock, which has been but slightly, if at all, metamorphosed, renders it necessary to cover the bottom of the canal with a thick floor of cement, and to build the walls of solid masonry, backed by a very heavy cement filling, to withstand the pressure of water, when once admitted into the canal. This is a slow process, and requires a great expenditure of money.

A cursory view of the magnitude of the work and of the formation of the rock and land through which the canal is being built, would convince anyone that at the rate in which the government has been making appropriations, it will yet be many years before the locks will be completed. In the meantime millions of dollars will have been paid out by the people of Eastern Oregon and Eastern Washington in exorbitant freight rates.

The growth of the country demands an immediate temporary relief.

In our judgment a portage railroad around the cascades would compel the reduction of freight rates, and would open up a way to the seaboard for a vast country which has hitherto depended upon a single line of railroad, which road has, during the past season, proved itself inadequate.

We have no doubt of the practicability of a portage railroad.

We would therefore respectfully recommend that the sum of sixty thousand dollars be appropriated for the purpose of building a portage railroad around the cascades of the Columbia.

O. M. DODSON,

JEFF. MYERS,

Senate committee.

J. M. McCALL,

W. J. MULKEY,

House committee.

On motion of Mr. McCall, the report was adopted.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Barnes introduced house bill No. 284:

"A bill for an act to amend section 4063, chapter 76, title 1, of the general laws of Oregon, as compiled and annotated by W. Lair Hill, relating to county road notices."

The bill was read the first time and passed to its second reading without question.

Mr. Barnes moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Fox, Hansard, Henry, Littig, Montgomery and Shedd—6.

So the rules were suspended, the bill read the second time by title, considered engrossed, and passed to a third reading without further question.

Mr. Wright introduced house bill No. 285:

"A bill for an act to amend section 3828, on page 1637, and section 3830, on page 1638, of second Hill's annotated laws of Oregon, relating to mining claims."

The bill was read the first time and passed to its second reading without question.

Mr. Wright moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Manning and Montgomery—3.

So the rules were suspended, the bill read the second time by title, considered engrossed, and passed to a third reading without further question.

Mr. Minto, by request, introduced house bill No. 286:

“A bill for an act for the relief of James H. Sharp.”

The bill was read the first time and passed to its second reading without question.

Mr. Minto moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Nays—Messrs. Littig, Manning and Montgomery—3.

So the rules were suspended, the bill read the second time by title, considered engrossed, and passed to a third reading without further question.

Mr. Minto introduced house bill No. 287:

“A bill for an act to amend section 8 of an act entitled an act to incorporate the city of Salem, approved October —, 1862, as amended by an act entitled an act to amend an act entitled an act to incorporate the city of Salem, approved October —, 1862, approved October 28, 1874, as amended by an act entitled an act entitled an act to amend sections 6, 8, 9, 16 and 23 of the charter of the city of Salem, and to provide for the extension and improvement of streets, and for the construction and repair of sidewalks, sewers and drains in said city, and to provide for the performance of the duties of recorder in case of his disability, approved February 16, 1887, as amended by an act entitled an act to amend sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 18 of an act entitled an act to incorporate the city of Salem, and all acts amendatory thereof, otherwise known as the charter of said city of Salem, approved October —, 1862, and sections 27 and 36 of an act supplemental thereto, approved February 16, 1887, filed in the office of the secretary of state February 25, 1889, as amended by an act entitled an act to amend section 6 of an act entitled an act to amend sections 3, 4, 5, 6, 7, 8,

9, 10, 11, 12, 13, 14 and 18 of an act entitled an act to incorporate the city of Salem, and all acts amendatory thereof, otherwise known as the charter of said city of Salem, approved October —, 1862, and sections 27 and 36 of an act supplemental thereto, approved February 16, 1887, filed in the office of the secretary of state February 9, 1891."

The bill was read the first time and passed to second reading without question.

Mr. Minto moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Fox, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Manning and Montgomery—3.

So the rules were suspended and the bill read the second time by title.

On motion, the bill was referred to the Marion county delegation.

Mr. Welch introduced House bill No. 288:

"A bill for an act to authorize J. Q. A. Bowlby, H. B. Van Dusen and D. H. Welch to construct a bridge across John Day's river, Bear creek and Blind slough, in Clatsop county, Clatskine and Beaver creeks, in Columbia county, state of Oregon."

The bill was read the first time and passed to a second reading without question.

Mr. Welch moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Lamson, Jennings, Johnston, Killian, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson,

Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Manning and Montgomery—3.

So the rules were suspended, the bill read the second time by title, considered engrossed, and passed to a third reading without further question.

Mr. Jennings introduced house bill No. 289:

“A bill for an act to amend section 4005, 4006 and 4007, as amended by an act to create and establish a board of railroad commissioners, and to define and regulate its powers, and define its duties, and to fix the compensation of its members, approved February 18, 1887, the same being chapter 73 of the general laws of Oregon, as compiled and annotated by Wm. Lair Hill.”

The bill was read the first time and passed to a second reading without question.

Mr. Jennings moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Manning and Montgomery—3.

So the rules were suspended, the bill read the second time by title, and passed to a third reading without question, and ordered printed.

Mr. Story introduced house bill No. 290:

“A bill for an act to license and regulate life and casualty insurance companies and societies.”

The bill was read the first time and passed to second reading without question.

Mr. Story moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of

Washington, Morey, Mulkey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Manning and Montgomery—3.

So the rules were suspended and the bill read the second time by title.

On motion, the bill was referred to the committee on taxation with leave to report at any time.

Mr. Myer introduced house bill No. 291:

“A bill for an act to amend an act entitled an act to incorporate the town of Monmouth, Polk county, Oregon.”

The bill was read the first time and passed to second reading without question.

Mr. Myer moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Manning and Montgomery—3.

So the rules were suspended, the bill read the second time by title, considered engrossed, and passed to third reading without further question.

Mr. Stillwell introduced house bill No. 292:

“A bill for an act to incorporate the town of Bay City, Tillamook county, Oregon.”

The bill was read the first time and passed to second reading without question.

Mr. Barrett moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy,

McCraken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Manning and Montgomery—3.

So the rules were suspended, the bill read the second time by title, considered engrossed, and passed to third reading without further question.

Mr. Thomas, by request, introduced house bill No. 293:

“A bill for an act relating to building, loan and saving associations doing a general business.”

The bill was read the first time and passed to second reading without a question.

Mr. Thomas, by request, introduced house bill No. 294:

“A bill for an act entitled an act to amend an act to incorporate the town of Sellwood, Multnomah and Clackamas counties, state of Oregon, approved February 25, 1889, by amending sections 3 and 4 and adding thereto sections 101, 102 and 103.”

The bill was read the first time and passed to second reading without a question.

Mr. Thomas moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Tracy, Thomas, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Manning and Montgomery—3.

So the rules were suspended, the bill read the second time by title, considered engrossed, and passed to a third reading without further question.

Mr. Killian introduced house bill No. 295:

“A bill for an act to repeal an act entitled an act to define the terms ‘land’ and ‘real property’ for the purpose of taxation, and to provide when the same shall be assessed and taxed, and to declare what instruments whereby land and real property are made a

security for the payment of a debt, shall be void, and to repeal sections 2 and 7 of chapter 57 of the miscellaneous laws of Oregon, approved October 26, 1882, being sections 2753 to 2757, inclusive, of the miscellaneous laws of Oregon as compiled and annotated by W. Lair Hill."

The bill was read the first time and passed to its second reading without question.

Mr. Killian moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Manning and Montgomery—3.

So the rules were suspended and the bill read the second time by title.

On motion, the bill was referred to the committee on judiciary.

Mr. Garfield introduced house bill No. 296:

"A bill for an act to provide for the appointment of special peace officers."

The bill was read the first time and passed to its second reading without question.

Mr. Garfield moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Manning and Montgomery—3.

So the rules were suspended and the bill read the second time by title.

On motion, the bill was referred to the committee on judiciary.

Mr. Thomas, chairman of the apportionment committee, introduced house bill No. 297:

"A bill for an act redistricting the state into senatorial and representative districts, and fixing the number of senators and representatives in the legislative assembly, and to repeal sections 2186, 2187, 2188, 2189, 2190, 2191 and 2192, title 1, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill."

The bill was read the first time and passed to second reading without question.

Mr. Thomas moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambia, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Barrett, Littig, Manning and Montgomery—4.

So the rules were suspended, the bill read the second time by title, ordered printed immediately, considered engrossed, and made a special order for 7:30 P. M. Friday, February 13.

Mr. Miller introduced house bill No. 298:

"A bill for an act to authorize the Grant's Pass Water, Light and Power Company to construct and maintain a dam, and to construct, maintain, and operate a boom on the Rogue river, in Josephine county, state of Oregon."

The bill was read the first time and passed to second reading without question.

Mr. Miller moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambia, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd,

Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—Mr. Jennings—1.

Absent—Messrs. Littig, Manning and Montgomery—3.

So the rules were suspended, the bill read the second time by title, ordered printed, and referred to the committee on judiciary.

Mr. Hall introduced house bill No. 299:

“A bill for an act to more fully define the criminal jurisdiction of justices courts.”

The bill was read the first time and passed to second reading without question.

Mr. Hall moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Manning and Montgomery—3.

So the rules were suspended, the bill read the second time by title, considered engrossed, and passed to third reading without further question.

Mr. McCoy introduced house bill No. 300:

“A bill for an act to define and punish trespass.”

The bill was read the first time and passed to second reading without question.

Mr. McCoy moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd,

Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Manning and Montgomery—3.

So the rules were suspended, the bill read the second time by title, referred to the committee on agriculture, and ordered printed.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has adopted the house amendments as amended by the senate to senate bill No. 205, and the amendments are herewith attached.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

The joint committee on fisheries submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1891. }

Mr. Speaker :

Your joint committee on fisheries, to whom was referred senate bill No. 205, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line 9, section 1, after the word "Sunday" insert the following: *Provided*, that in the Clackamas river it shall not be lawful to take or fish for salmon by any means whatever between the fifteenth day of May and the first day of November.

AMENDMENT.

In line 11, section 1, strike out the word "catching" and insert in lieu thereof the words "fishing for."

JOHN FOX,
Chairman.

AMENDMENT.

Strike out all that portion of the first amendment adopted by the house from and including the words "fifteenth day of May" and insert in lieu thereof the words "tenth day of August and the first day of October," so that the amendment will read as follows: *Provided*, that in the Clackamas river it shall not be lawful to take or fish for salmon by any means whatever between the tenth day of August and the first day of October.

On motion, the senate amendments to house amendments to senate bill No. 205 were concurred in.

The speaker announced the order of business to be the second reading of house bills.

SECOND READING OF HOUSE BILLS.

Mr. Miller was called to the chair.

House bill No. 226 coming on for a second reading, was read a second time, considered engrossed, and passed to a third reading without further question.

House bill No. 236 coming on for a second reading, was read a second time.

On motion of Mr. Snider, the bill was referred to the committee on judiciary.

House bill No. 238 coming on for a second reading, was read a second time.

On motion of Mr. Jennings, the bill was referred to the committee on corporations.

House bill No. 239 coming on for a second reading, was read a second time.

On motion of Mr. Jennings, the bill was withdrawn.

House bill No. 240 coming on for a second reading, was read the second time.

On motion of Mr. Holmes, the bill was referred to the committee on judiciary.

House bill No. 241 coming on for second reading, was read the second time.

On motion of Mr. Holmes, the bill was referred to the committee on judiciary.

House bill No. 242 coming on for second reading, was read the second time.

On motion of Mr. Holmes, the bill was referred to the committee on judiciary.

House bill No. 244 coming on for second reading, was read the second time.

On motion of Mr. McCoy, the bill was referred to the committee on agriculture.

House bill No. 245 coming on for second reading, was read the second time.

On motion of Mr. Paquet, the bill was considered engrossed.

House bill No. 246 coming on for second reading, was read the second time.

On motion of Mr. Baker, the bill was referred to the committee on claims.

House bill No. 247 coming on for second reading, was read the second time.

On motion of Mr. Hall, the bill was considered engrossed and passed to third reading to-morrow.

House bill No. 249 coming on for second reading, was read the second time.

On motion of Mr. McCracken, the bill was referred to the committee on roads and highways.

House bill No. 251 coming on for second reading, was read the second time.

On motion of Mr. Merritt, the bill was referred to the committee on counties.

House bill No. 256 coming on for second reading, was read the second time.

On motion of Mr. Holmes, the bill was withdrawn.

House bill No. 257 coming on for a second reading, was read a second time.

On motion of Mr. Welch, the bill was referred to the committee on commerce.

House bill No. 258 coming on for a second reading, was read a second time.

On motion of Mr. Shedd, the bill was considered engrossed, and passed to a third reading without further question.

House bill No. 260 coming on for a second reading, was read a second time.

On motion of Mr. Killian, the bill was referred to the committee on agriculture, with leave to report at any time.

House bill No. 264 coming on for a second reading, was read a second time.

On motion of Mr. Stewart, the bill was referred to the committee on education, with leave to report at any time.

On motion of Mr. Morey, house bill No. 230 was withdrawn.

On motion of Mr. Moore of Washington, house bill No. 235 was withdrawn.

Mr. Speaker resumed the chair.

The speaker submitted the following messages from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 208, a bill for an act for securing liens for laborers on mining claims and material men and prescribing the manner of their enforcement.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 215, a bill for an act to amend section 18 of an act entitled an act to incorporate the city of Salem, approved October, 1862, as amended by an act entitled an act to amend an act entitled an act to incorporate the city of Salem, approved October 26, 1868, approved October 26, 1872.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

House bill No. 268 coming on for second reading, was read the second time.

On motion of Mr. Barrett, the bill was referred to the committee on judiciary.

House bill No. 269 coming on for second reading, was read the second time.

On motion of Mr. Shedd, the bill was referred to the committee on judiciary.

The speaker submitted the following messages from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 210, a bill for an act to amend sections 3550 and 3553, and to repeal section 3551, of the laws of the state of Oregon, as compiled by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 63, a bill for an act to provide for the collection of school taxes.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

House bill No. 283 coming on for second reading, was read the second time.

On motion of Mr. Blundell, the bill was referred to the committee on education.

Mr. Thomas moved that the rules be suspended and house bill No. 293 read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Manning and Montgomery—3.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Thomas, the bill was referred to the committee on judiciary.

Mr. Thomas moved that when the house adjourn it stand adjourned until 10 o'clock A. M. to-morrow.

Motion carried.

Mr. Story asked unanimous consent to introduce a bill relating to the dairy interest.

Granted.

The Clackamas county delegation submitted the following report

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker:

Your committee, the Clackamas delegation, to whom was referred senate bill No. 79, to incorporate Oregon City, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

P. PAQUET,
Chairman.

On motion of Mr. Paquet, the report was adopted.

Mr. Paquet moved that the rules be suspended and senate bill No. 79 be put on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Crook, Hall, Killian, Littig, Manning, Meussdorffer and Montgomery—7.

So the rules were suspended and senate bill No. 79 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Blundell, Gambee, Littig, Manning, McCracken, Meussdorffer and Montgomery—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 12, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bills Nos. 68, 98 and 243, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house bills Nos. 68, 98 and 243, and shortly after announced that he had signed the same.

Mr. Story introduced house bill No. 301:

"A bill for an act to amend section 6 of an act entitled an act to prevent the production and sale of unwholesome foods, and to regulate sales of adulterated foods, drinks and medicines, approved February 25, 1889."

The bill was read the first time and passed to its second reading without question.

Mr. Story moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, But-

ler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Littig, Manning, Meussdorffer and Montgomery—4.

So the rules were suspended and the bill read the second time by title.

On motion, the bill was referred to the committee on agriculture, with leave to report at any time.

Mr. Fox introduced house bill No. 302:

A bill for an act entitled an act to amend section 3537 and section 3542 of chapter 46, of volume 2, Hill's annotated code of Oregon, Astora, and relating to appointment of a health officer to reside at the port of one to reside at Coos bay and Gardiner, and relating to the quarantine of vessels at the mouth of the Columbia river and Coos bay."

The bill was read the first time and passed to second reading without question.

Mr. Fox moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Littig, Manning, Meussdorffer and Montgomery—4.

So the rules were suspended, the bill read the second time by title, considered engrosse, and passed to third reading.

Mr. Merritt moved to suspend the rules and put senate bill No. 202 on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Crook, Littig, Manning and Montgomery—4.

So the rules were suspended and senate bill No. 202 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Manning and Montgomery—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 209, a bill for an act to amend section 2 of an act entitled an act to transfer certain special funds to the general fund, and to provide for the payment of outstanding warrants against such special fund, approved February 25, 1889.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills Nos. 23 and 126 are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 23 and 126, and shortly after that he had signed the same.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 109, a bill for an act to amend an act entitled an act to organize school districts in incorporated towns of ten thousand inhabitants, and to provide for the maintenance and government of public schools therein, approved October 26, 1882.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

The committee on railways and transportation submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker:

Your committee on railways and transportation, to whom was referred senate bill No. 56, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

H. B. MILLER,
Chairman.

On motion of Mr. Miller, the report was adopted.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has appointed as a committee on the part of the senate, under senate joint resolution No. 1, Messrs. Watkins and Moore.

And the same is herewith transmitted to you.

O. P. MILLER,
Chief clerk.

The speaker announced that the next order of business was the first reading of senate bills.

FIRST READING OF SENATE BILLS.

Senate bill No. 49 was read the first time and passed to a second reading without a question.

Senate bill No. 186 was read the first time and passed to a second reading without a question.

Senate bill No. 121 was read the first time and passed to a second reading without a question.

Senate bill No. 34 was read the first time and passed to a second reading without a question.

Senate bill No. 222 was read the first time and passed to a second reading without a question.

Senate bill No. 208 was read the first time and passed to a second reading without a question.

Senate bill No. 215 was read the first time and passed to a second reading without a question.

Senate bill No. 210 was read the first time and passed to a second reading without a question.

Senate bill No. 63 was read the first time and passed to a second reading without a question.

Senate bill No. 209 was read the first time and passed to a second reading without a question.

Senate bill No. 109 was read the first time and passed to a second reading without a question.

Mr. Miller moved that the house do now adjourn.

Motion carried.

R. R. HAYS,
Chief clerk.

FRIDAY, FEBRUARY 13, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1891. }

The house was called to order at 10 o'clock A. M., Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Hartman, Johnston, Littig, Manning, McCall, Montgomery, Stewart and Wright.

On motion of Mr. Killian, the reading of the journal was dispensed with.

Mr. Blundell moved that house bill No. 283 be ordered reprinted, so that it would read that he had introduced the bill by order of the committee on education, under house resolution No. 17, introduced by Mr. Garfield.

The motion prevailed, and the bill was ordered reprinted.

The speaker appointed Messrs. McCoy, Miller and Henry as members of the joint committee, under senate joint resolution No. 1, to act with a similar committee from the state of Washington, in the matter of the portage railway around the dalles and the cascades of the Columbia.

Mr. McCoy introduced house joint resolution No. 45 and moved its adoption.

HOUSE JOINT RESOLUTION NO. 45.

Whereas a resolution was recently offered in this house by Representative Holmes of Marion, that the senior senator from this state, J. N. Dolph, be instructed to vote in favor of unlimited silver coinage; and

Whereas said Representative Holmes, in the preamble to said resolution, pointedly states that the democratic party, among others, has declared itself in its platform as decidedly in favor of free coinage; and

Whereas said resolution was killed by strict party vote; and

Whereas that great apostle of democracy, ex-President Cleveland, in a letter to a meeting held in Cooper Union for the purpose of opposing free silver coinage, has put himself on record in direct opposition to that party which believes that when he walks toward the east the west tips up; and

Whereas in such letter he characterizes free silver coinage as a "dangerous and reckless experiment"; and

Whereas such apostasy from his party platform is a sad spectacle to contemplate; therefore be it

Resolved by the House, the Senate concurring :

That this house views with pain and regret such reckless conduct on the part of ex-President Cleveland, especially in view of his candidacy in the impending presidential campaign, and hereby warns and admonishes him that he is departing from the principles of his party as well as from the great principles of their able contingent, the farmers' alliance; that in the sense of this legislative body he would better retrace his steps, and commence to write, and speak, and work for free unlimited coinage of silver; and

Resolved, That in view of the great scarcity of silver and all other coin among the members of this house, this resolution be in full force and effect after its passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Crook, Durham, Dustin, Fox, Jennings, Johnston, Lamson, Leeper, McCall, McCoy, Merritt, Miller, Moor of Benton, Moore of Washington, Reed, Richey, Snider, Starr, Stephenson, Thomas, Tracy, Wilkins, and Mr. Speaker—29.

Nays—Messrs. Barnes, Coleman, Furry, Gambee, Garfield, Hall, Hansard, Hardy [?], Hartman, Henry, Holmes, Killian [?], Manning, McAlister, McCracken, Meussdorffer, Minto, Morey, Mulkey, Myer, Paquet, Shedd, Stewart, Stillwell, Story, Thompson, Weed, Welch and Wright—29.

Absent—Messrs. Littig and Montgomery—2.

So the resolution was lost.

On motion of Mr. Hardy, Mr. Hyde and Mr. McCord of Baker City were invited to seats within the bar.

The committee on counties submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1891. }

Mr. Speaker :

Your committee on counties, to whom was referred house bill No. 231, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Correct clerical error by striking out "\$331.60" wherever it appears in figures or words, and in lieu thereof insert "\$341.60."

JUDSON WEED,
Chairman.

On motion of Mr. Weed, the report with amendments was adopted. The committee on roads and highways submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 12, 1891. }

Mr. Speaker:

Your committee on roads and highways, to whom was referred a substitute for senate bill No. 39, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

In section 4, line 2 of original bill, strike out "ten" and insert "eight" in lieu thereof.

C. E. MOOR,
Chairman.

On motion of Mr. Moor, the report with amendment was adopted. The speaker announced the next order of business to be the third reading of senate bills.

THIRD READING OF SENATE BILLS.

Senate bill No. 99 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Botkin, Butler, Dustin, Fox, Hardy, Hartman, Killian and Meussdorffer—9.

Nays—Messrs. Armstrong, Barnes, Barrett, Blundell, Coleman, Crook, Durham, Furry, Gambee, Garfield, Hall, Hansard, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd,

Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—48.

Absent—Messrs. Littig, Miller and Montgomery—3.

So the bill failed to pass.

Senate bill No. 160 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Hartman, Littig, Montgomery, Moore of Washington, Thomas (excused) and Wright—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 95 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—55.

Nays—Mr. Killian—1.

Absent—Messrs. Littig, Miller, Montgomery and Wilkins—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 77 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Blundell, Coleman, Garfield, Henry, Holmes, Jennings, McCall, McCoy, Minto, Snider and Thompson—13.

Nays—Messrs. Armstrong, Barrett, Botkin, Butler, Crook, Durham, Dustin, Fox, Furry, Gambée, Hall, Hansard, Hardy, Hartman, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCracken, Merritt, Meussdorffer, Miller, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—42.

Absent—Messrs. Littig, Montgomery, Moor of Benton, Moore of Washington and Wright—5.

So the bill failed to pass.

The speaker submitted the following messages from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1891. }

Mr. Speaker :

I am directed by the president to inform you that he has signed house bills Nos. 68, 98 and 243.

And the same are herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bill No. 227, with the following amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1891. }

Mr. President :

Your special committee, consisting of senators from Multnomah county, to whom was referred house bill No. 227, beg leave to report that they have had the same under consideration, and would

respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

That in section 9, line 3 of the printed bill, the name of D. P. Thompson be stricken out and the name of James Steel be inserted.

AMENDMENT.

That in section 9, line 4 of the printed bill, the name of J. A. Brown be stricken out and the name of John E. Lombard be inserted.

AMENDMENT.

That in section 9, line 5 of the printed bill, the name of Simeon J. Josephi be stricken out and the name of Simeon E. Josephi be inserted.

J. C. CARSON,
Chairman.

Mr. McCracken moved that the house concur in the senate amendments to house bill No. 227.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hardy, Hartman, Henry, Jennings, Johnston, Killian, Lamson, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—52.

Nays—Messrs. Hall, Hansard, Holmes, Leeper, McCoy and Stillwell—6.

Absent—Messrs. Littig and Montgomery—2.

So the senate amendments were concurred in.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has

passed senate bill No. 216, a bill for an act entitled an act to incorporate the city of Clatskanie, Columbia county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bill No. 122, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house bill No. 122, and soon after announced that he had signed the same.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bills Nos. 208, 35, 225, 39, 92 and 62, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house bills Nos. 208, 35, 225, 39, 92 and 62, and soon after announced that he had signed the same.

Senate bill No. 7 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Blundell, Botkin, Butler, Crook, Dustin, Fox, Furry, Hardy, Hartman, Henry, Johnston, Killian, Lamson, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorfer, Miller, Minto, Moor of Benton, Mulkey, Paquet, Reed, Richey,

Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Weed, Welch, Wilkins and Wright—40.

Nays—Messrs. Armstrong, Barrett, Coleman, Durham, Gambee, Garfield, Hall, Hansard, Holmes, Jennings, Leeper, Moore of Washington, Shedd, Story, Tracy, and Mr. Speaker—16.

Absent—Messrs. Littig, Montgomery, Morey and Myer—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion, the house members of the joint committee to confer with a similar committee from the state of Washington, on the portage railway around the dalles and cascades of the Columbia, consisting of Messrs. McCoy, Miller and Henry, were excused.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bill No. 122.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

Senate bill No. 29 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—52.

Nays—Mr. Furry—1.

Absent—Messrs. Hardy, Killian, Littig, McCoy, Miller, Minto and Montgomery—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Paquet moved that when the house adjourn it stand adjourned until Monday at 2 o'clock P. M.

Motion lost.

On motion of Mr. Baker, house bill No. 246 was withdrawn.
The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 160, with the following amendment hereto attached.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Proposed amendment to house bill No. 160:

AMENDMENT.

To section 1 add the words: "*provided*, that the waters so appropriated shall not be in excess of twelve thousand inches at the head of said system of flumes, nor of five thousand inches from any stream crossed or intersected by any flume of said system at a point lower than the head of said system."

Mr. Merritt moved that the roll be called on the adoption of the senate amendments.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Littig and Montgomery—2.

So the house concurred in the senate amendments.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1891. }

Mr. Speaker :

Your committee on enrolled bills, to whom was referred house bills Nos. 38 and 281, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house bills Nos. 38 and 281, and soon after announced that he had signed the same.

Senate bill No. 73 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—52.

Nays—Mr. McAlister—1.

Absent—Messrs. Hall, Hardy, Henry, Littig, Montgomery, Stewart and Story—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 69 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—Mr. Furry—1.

Absent—Messrs. Crook, Littig, Montgomery, Morey and Shedd—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bills Nos. 35, 92, 62, 208, 39 and 225.

And the same are herewith returned to you.

O. P. MILLER,
Chief clerk.

On motion of Mr. Thomas, the house adjourned.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 13, 1891. }

The house was called to order, Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Coleman, Hall, Hartman, Jennings, Littig, Manning, McCoy, McCracken, Miller, Montgomery, Morey and Wright.

The committee on engrossed bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bills Nos. 129, 183, 163, 175, 176, 202, 81, 79, 177, 133, 179, 188, 174, 161, 199, 29, 228, 34, 152, 42, 146, 104, 53 and 64, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1891. }

Mr. Speaker :

Your committee on engrossed bills, to whom was referred house bills Nos. 94, 203, 166, 155, 204, 32, 136 and 157, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

The special order of business being the consideration of house concurrent resolution No. 22, the resolution was taken up, and, on motion of Mr. McCracken, the resolution was adopted.

Messrs. Hartman, Manning and Morey were excused until Monday.

The committee on corporations submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1891. }

Mr. Speaker :

Your committee on corporations, to whom was referred house bill No. 279, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out all after the enacting clause and insert the following:

Section 1. That section 2 of an act entitled an act to incorporate the city of Salem, approved October, 1862, as amended by an act entitled an act to amend an act entitled an act to incorporate the city of Salem, approved October, 1862, approved October 28, 1874, be amended so as to read as follows:

Sec. 2. The limits of said city shall be as follows: Commencing at a point in the middle of Willamette slough due west from the southwest corner of block 41 of the city of Salem, Oregon; running thence easterly along the original south boundary line of the city of Salem, Oregon, to the northwest corner of Yew Park addition to the city of Salem, Oregon; thence southeasterly along the west boundary line of said Yew Park addition to the south line of Cross street, in said

addition; thence easterly along the south line of said Cross street to the southeast corner of said Yew Park addition; thence northerly along the east boundary line of said Yew Park addition to the southwest corner of Depot addition to Salem, Oregon; thence east along the south line of said Depot addition to the east line of the county road leading from Salem, Oregon, to Turner, Oregon; thence southeasterly along the east line of said county road to the west line of Twenty-second street, in J. Myers' addition to the city of Salem, Oregon; thence northerly along the west line of said Twenty-second street to the north line of said J. Myers' addition; thence west along the north line of J. Myers' addition to the west line of Twenty-first street, in Capital Park addition to Salem, Oregon; thence northerly along the west line of said Twenty-first street to the middle of the channel of Mill creek; thence northwesterly along the middle of the channel of Mill creek to the middle of the channel of the Willamette river; thence southerly along the middle of the channel of the Willamette river and of Willamette slough to the place of beginning.

Section 2. Inasmuch as there is immediate need of the extension of the boundary lines of said city of Salem, this act shall be in force and take effect from and after its approval by the governor.

GEO. L. STORY,

Chairman.

On motion of Mr. Story, the report with amendments was adopted.

Mr. Armstrong, by unanimous consent, submitted the following report from the committee on federal relations:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1891. }

Mr. Speaker:

Your committee on federal relations, to whom was referred house joint memorial No. 5, relating to Indian war veterans, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following statement:

We find, after careful investigation, the total amount awarded by the commission appointed by the secretary of war, acting under an act of the thirty-fourth congress, appointed A. J. Smith, captain in the United States army, Rufus Ingalls of the United States army, and L. F. Grover, of Oregon, said commissioners, to examine into the expenses of the suppression of Indian hostilities in Oregon

during the years 1855 and 1856; said expenses amount in the aggregate to \$4,449,949.33, and the whole amount allowed was \$2,714,808.45, leaving a balance lawfully due of \$1,755,140.78. The balance is still unpaid, and justice and equity demand that the same should be paid.

Your committee find that the difference in the amount allowed by the first auditor is this: The pay of private soldiers in the regular army at that time (1855-56) was \$11 per month; but at the time above mentioned the cost of subsistence in Oregon amply accounts for the discrepancy; while in 1855 and 1856 flour in the Eastern states was only \$4.25 per barrel, in Oregon it was worth \$10 to \$11. Then the difficulties of transportation were among the impossibilities as compared with a well-regulated department of a regular army.

With this brief outline of facts, your committee desire to bring this matter to the attention of congress, that justice may be done.

Therefore we ask that the necessary legislation to secure by act of congress an appropriation to enable the treasurer of the United States to discharge this long-delayed payment of that hardy, enterprising race of men,—the Oregon pioneers,—the men that saved our beautiful state from the grasp of England. Now, with a full treasury, those men that left family and home to risk their lives in defense of home, friends and liberty, are still unpaid. A fundamental principal of a republic, is honor.

We would particularly call the attention of congress to the fact that time has brought to those that remain, feebleness, and in many instances, poverty; yet, while lingering on the verge of earth, they look back trying to see the finger of Hope pointing to Justice, that their closing scenes of life might be soothed by the nation they lived to defend by receiving their lawful rewards.

Your committee has not deemed it within the purview of our official duty to refer to any accounts other than what properly belongs to the state of Oregon. That those claims have been allowed to so long remain unpaid is *unjust, ungenerous, and unpatriotic*; particularly while the financial condition of the nation is such as to not know what to do with the surplus.

In concluding this report, we take pleasure in referring to a speech made by senator Dolph in the fifty-first congress on the subject of these unpaid claims, in which he used the following forcible language:

“Many of the original claimants have passed from the stage of action, but a large number still live to petition congress, and still hope for justice from a great nation, which should never require the services or property of a citizen without just compensation. I

ask for these claimants prompt and careful consideration of their claims, and speedy and full justice."

Therefore, we, the legislative assembly of the state of Oregon, in this the sixteenth biennial session, would respectfully ask our senators and representative in congress to use their most indefatigable exertions in urging congress for an appropriation to pay these lawful and just claims.

We further recommend that the secretary of state be instructed to forward to each of our delegation in the congress of the United States a copy of this report immediately.

On motion of Mr. Armstrong, the report was adopted.

House bill No. 95 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Hartman, Johnston, Littig, Manning, McCall, McCoy, Miller, Montgomery, Morey, Mulkey and Reed—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 253 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Gambee, Hardy, Holmes, Johnston, Killian, Lamson, McCall, McCoy, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Myer, Mulkey, Reed, Richey, Starr, Story, Thomas, Thompson, Weed and Wilkins—29.

Nays—Messrs. Armstrong, Coleman, Crook, Dustin, Fox, Furry, Garfield, Hall, Hansard, Jennings, Leeper, McAlister, McCracken, Merritt, Minto, Paquet, Shedd, Snider, Stephenson, Stewart, Stillwell, Tracy, Welch, Wright and Mr. Speaker—25.

Absent—Messrs. Hartman, Henry, Littig, Manning, Montgomery and Morey—6.

So the bill failed to pass.

House bill No. 265 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Dustin, Jennings, McAlister, McCall, Minto, Mulkey, Richey, Starr, Stephenson, Thompson, Tracy and Weed—14.

Nays—Messrs. Armstrong, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Fox, Furry, Gambia, Hall, Hansard, Holmes, Killian, Lamson, Leeper, McCracken, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Paquet, Reed, Shedd, Snider, Stewart, Stillwell, Story, Thomas, Welch, Wilkins, and Mr. Speaker—33.

Absent — Messrs. Garfield, Hardy, Hartman, Henry, Johnston, Littig, Manning, McCoy, Miller, Montgomery, Morey, Myer and Wright—13.

So the bill failed to pass.

The judiciary committee submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 9, introduced by Mr. Killian, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

On line 4, section 1 of the engrossed bill, after the word "partnership," insert the word "or."

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report with amendment was adopted.

On motion of Mr. McAlister, house bill No. 87 was referred to the committee on mining.

The committee on engrossed bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house

bill No. 21, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

House bill No. 213 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Minto, Snider, Stephenson, and Mr. Speaker—7.

Nays—Messrs. Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Killian, Lamson, McAlister, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Starr, Stewart, Stillwell, Thompson, Tracy, Weed, Welch, Wilkins and Wright—35.

Absent—Messrs. Blundell, Crook, Hartman, Henry, Jennings, Johnston, Leeper, Littig, Manning, McCall, McCoy, McCracken, Miller, Montgomery Morey, Mulkey, Story and Thomas—18.

So the bill failed to pass.

House bill No. 284 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thompson, Tracy, Weed, Welch, Wilkins and Wright—45.

Nays—Mr. Barrett—1.

Absent—Messrs. Crook, Hartman, Henry, Johnston, Littig, Manning, McCall, McCoy, Miller, Montgomery, Morey, Myer, Mulkey, Thomas, and Mr. Speaker—14.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 285 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Holmes, Killian, Lamson, Leeper, McAlister, McCracken, Merritt, Meussdorffer,

Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Story, Thompson, Tracy, Weed, Welch, Wilkins and Wright—38.

Nays—Messrs. Coleman, Garfield, Jennings, Minto, Stewart and Stillwell—6.

Absent—Messrs. Crook, Durham, Hartman, Henry, Johnston, Littig, Manning, McCall, McCoy, Miller, Montgomery, Morey, Mulkey, Snider, Thomas, and Mr. Speaker—16.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Paquet was called to the chair.

House bill No. 288 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Fox, Gambia, Garfield, Hall, Hansard, Hardy, Killian, Lamson, Leeper, McAlister, McCracken, Merritt, Meussdorffer, Minto, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Stewart, Stillwell, Story, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—39.

Nays—Messrs. Armstrong, Dustin, Furry, Jennings and Stephenson—5.

Absent—Messrs. Crook, Hartman, Henry, Holmes, Johnston, Littig, Manning, McCall, McCoy, Miller, Montgomery, Moor of Benton, Morey, Mulkey, Starr and Thomas—16.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 291 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Blundell, Butler, Coleman, Durham, Fox, Furry, Gambia, Garfield, Hansard, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—43.

Nays—Mr. Dustin—1.

Absent—Messrs. Baker, Botkin, Crook, Hall, Hardy, Hartman, Henry, Johnston, Littig, Manning, McCall, McCoy, Miller, Montgomery, Morey and Mulkey—16.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 294 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Garfield, Hall, Hansard, Holmes, Killian, Lamson, Leeper, McAlister, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—42.

Nays—Mr. Jennings—1.

Absent—Messrs. Crook, Gambee, Hardy, Hartman, Henry, Johnston, Littig, Manning, McCall, McCoy, Miller, Montgomery, Morey, Mulkey, Reed, Starr and Stewart—17.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 299 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Fox, Furry, Gambee, Garfield, Hall, Hansard, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—44.

Nays—None.

Absent—Messrs. Crook, Dustin, Hardy, Hartman, Henry, Johnston, Littig, Manning, McCall, McCoy, Miller, Montgomery, Morey, Mulkey, Reed and Stewart—16.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Speaker resumed the chair.

Mr. Paquet asked unanimous consent to have house bill No. 245 referred to the committee on ways and means, and the bill was so referred.

House bill No. 247 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall,

Hansard, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—47.

Nays—None.

Nays—Messrs. Crook, Hartman, Henry, Johnston, Littig, Manning, McAlister, McCall, McCoy, Miller, Montgomery, Morey and Stewart—13.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 302 was read the third time.

The question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barrett, Blundell, Botkin, Coleman, Crook, Hall, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McCracken, Meussdorffer, Minto, Moor of Benton, Paquet, Reed, Starr, Stillwell, Story, Tracy, Weed, Welch, Wright, and Mr. Speaker—21.

Nays—Messrs. Armstrong, Barnes, Butler, Coleman, Dustin, Furry, Gambee, Garfield, Hansard, Holmes, Jennings, Killian, Lamson, Leeper, Merritt, Moore of Washington, Myer, Richey, Shedd, Snider, Stephenson, Thomas, Thompson and Wilkins—24.

Absent—Messrs. Crook, Durham, Hartman, Henry, Johnston, Littig, Manning, McAlister, McCall, McCoy, Miller, Montgomery, Morey, Mulkey and Stewart—15.

So the bill failed to pass.

The enrolling committee submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bills Nos. 26, 255, 124, 209, and house joint resolution No. 8, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate joint memorial No. 5, memorializing congress to make an appropriation to build a salmon hatchery on the Columbia or Snake rivers or tributaries.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Fox moved that the house concur in the memorial.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—45.

Nays—None.

Absent—Messrs. Crook, Johnston, Killian, Littig, Manning, McAlister, McCall, McCoy, Miller, Montgomery, Morey, Mulkey, Reed, Starr and Stewart—15.

So the house concurred in senate joint memorial No. 5.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate joint resolution No. 9, asking that the United States fish commissioner be instructed to send an expert to report on the habits, etc., of the Columbia river salmon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Reed moved that the house concur in the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Gambee, Garfield, Hansard, Hardy, Killian, Lamson, Leeper, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—39.

Nays—Mr. Jennings—1:

Absent—Messrs. Armstrong, Blundell, Crook, Fox, Furry, Hall, Hartman, Henry, Holmes, Johnston, Littig, Manning, McAlister, McCall, McCoy, McCracken, Miller, Montgomery, Morey and Mulkey—20.

So the house concurred in the resolution.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills Nos. 6, 14, 17, 48, 136, 11, 90, 67 and 12, and senate joint resolution No. 1 are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

Mr. Speaker announced that he was about to sign house joint resolution No. 8, and house bills Nos. 209, 124, 26 and 255, and soon after announced that he had signed the same.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bills Nos. 38 and 281.

And the same are herewith returned to you.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate joint resolution No. 1, and senate bills Nos. 6, 14, 17, 48, 136, 11, 90, 67 and 12, and soon after announced that he had signed the same.

The committee on engrossed bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 13, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bills Nos. 250, 224, 263, 138, 77, 115, 169, 271, 165, 190, 215, 112, 231, 216, 232, 54 and 223, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

The speaker submitted the following messages from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 111.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 166, a bill for an act to amend sections 4 and 6 of an act entitled an act for the protection of fish and game, approved October 20, 1882, being identical with sections 1933 and 1935 of the general laws of Oregon, compiled and annotated by William Lair Hill."

And the same are herewith returned to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills Nos. 10, 18 and 57, and senate joint resolution No. 8, are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.
O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 10, 18 and 57, and senate joint resolution No. 8, and soon after announced that he had signed the same.

On motion of Mr. Paquet, house bill No. 258 was referred to the Linn county delegation.

House bill No. 161 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, and Mr. Speaker—41.

Nays—Mr. Dustin—1.

Absent—Coleman, Crook, Fox, Hartman, Henry, Johnston, Littig, Manning, McCall, McCoy, Meussdorffer, Miller, Montgomery, Morey, Mulkey, Reed, Welch and Wright—18.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 133 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Furry, Gambee, Garfield, Hansard,

Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—43.

Nays—None.

Absent—Messrs. Crook, Fox, Hall, Hartman, Henry, Johnston, Littig, Manning, McCall, McCoy, Meussdorffer, Miller, Montgomery, Morey, Paquet, Reed and Snider—17.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 146 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Story, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—45.

Nays—None.

Absent—Messrs. Crook, Hall, Hartman, Henry, Johnston, Littig, Manning, McCoy, Meussdorffer, Miller, Montgomery, Morey, Mulkey, Reed, Stillwell and Welch—15.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 81 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—44.

Nays—Mr. Stillwell—1.

Absent—Messrs. Coleman, Crook, Durham, Fox, Hartman, Henry, Johnston, Littig, Manning, McCoy, Merritt, Miller, Montgomery, Morey and Mulkey—15.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 228 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Furry, Gambia, Garfield, Hansard, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—42.

Nays—Mr. Hall—1.

Absent—Messrs. Butler, Crook, Fox, Hartman, Henry, Johnston, Littig, Manning, McCoy, Merritt, Miller, Montgomery, Morey, Myer, Mulkey and Stewart—17.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 202 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambia, Garfield, Hall, Hansard, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Reed, Richey, Shedd, Snider, Starr, Stephenson, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—45.

Nays—None.

Absent—Messrs. Crook, Hartman, Henry, Johnston, Littig, Manning, McCoy, Miller, Montgomery, Morey, Myer, Mulkey, Paquet, Stewart and Stillwell—15.

So the bill passed; and there being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 99 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Hall, Hansard, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Reed, Richey,

Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—41.

Nays—Messrs. Gambee and Stephenson—2.

Absent—Messrs. Crook, Garfield, Hartman, Henry, Johnston, Littig, Manning, McCall, McCoy, McCracken, Meussdorffer, Montgomery, Morey, Myer, Mulkey, Paquet and Welch—17.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 188 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—48.

Nays—None.

Absent—Messrs. Crook, Hartman, Henry, Johnston, Littig, Manning, McCall, McCoy, Miller, Montgomery, Morey, Mulkey, Paquet and Thomas—12.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 183 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCall, Merritt, Minto, Moor of Benton, Moore of Washington, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—44.

Nays—None.

Absent—Messrs. Crook, Dustin, Hall, Hartman, Henry, Johnston, Littig, Manning, McCoy, McCracken, Meussdorffer, Miller, Montgomery, Morey, Myer and Mulkey—16.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 176 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Dustin, Fox, Furry, Gambee, Hansard, Hardy, Holmes, Jennings, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Minto, Montgomery, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—43.

Nays—Messrs. Garfield, Killian, Stephenson and Thompson—4.

Absent—Messrs. Coleman, Crook, Hall, Hartman, Henry, Johnston, Littig, Manning, McCoy, Meussdorffer, Miller, Morey and Mulkey—13.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Armstrong, the house adjourned.

EVENING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1891. }

The house was called to order, Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Crook, Furry, Garfield, Hartman, Henry, Johnston, Littig, Manning, McCoy, Montgomery, Morey, Miller and Snider.

House bill No. 297 being a special order for 7:30, the same was taken up.

On motion of Mr. Thomas, the bill was re-referred to the special committee on apportionment, and made a special order for Monday, February 16, at 4 o'clock P. M.

House bill No. 179 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Hall, Hansard, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart,

Stillwell, Story, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—44.

Nays—None.

Absent—Messrs. Crook, Furry, Garfield, Hartman, Henry, Johnston, Littig, Manning, McCoy, Miller, Montgomery, Moore of Washington, Morey, Myer, Snider and Thomas—16.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Blundell was excused.

The committee on enrolled bills eubmitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 3, 1891.

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bill No. 43, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house bill No. 43, and soon after announced that he had signed the same.

House bill No. 174 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Hall, Hansard, Hardy, Jennings, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Mulkey, Paquet, Richey, Shedd, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—42.

Nays—None.

Absent—Messrs. Blundell, Crook, Furry, Garfield, Hartman, Henry, Holmes, Johnston, Littig, Manning, McCoy, Miller, Montgomery, Morey, Myer, Reed, Snider and Starr—18.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 177 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Hall, Hansard, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Mulkey, Paquet, Richey, Shedd, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—43.

Nays—None.

Absent—Messrs. Blundell, Crook, Furry, Garfield, Hartman, Henry, Johnston, Littig, Manning, McCoy, Miller, Montgomery, Morey, Myer, Reed, Snider and Stewart—17.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 175 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Botkin, Butler, Coleman, Durham, Dustin, Fox, Gambee, Hall, Hansard, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Richey, Shedd, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—42.

Nays—None.

Absent—Messrs. Barrett, Blundell, Crook, Furry, Garfield, Hartman, Henry, Johnston, Littig, Manning, McCoy, Miller, Montgomery, Morey, Reed, Snider, Stewart and Welch—18.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on engrossed bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bills Nos. 6, 75, 189, 279, 222 and 192, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

On motion of Mr. Thamas, house bill No. 163 was referred to the committee on judiciary.

House bill No. 129 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Botkin, Coleman, Dustin, Fox, Hansard, Hardy, Jennings, Killian, Leeper, McAlister, McCall, Meussdorffer, Minto, Moor of Benton, Paquet, Richey, Shedd, Starr, Stewart, Story, Welch, Wilkins and Wright—25.

Nays—Messrs. Baker, Barrett, Butler, Durham, Gambee, Hall, Holmes, Lamson, McCracken, Merritt, Moore of Washington, Mulkey Myer, Reed, Stephenson, Stillwell, Thomas, Thompson, Weed, and Mr. Speaker—20.

Absent—Messrs. Blundell, Crook, Furry, Garfield, Hartman, Henry, Johnston, Littig, Manning, McCoy, Miller, Montgomery, Morey, Snider and Tracy—15.

So the bill failed to pass.

On motion of Mr. Minto, house bill No. 79 was indefinitely postponed.

On motion of Mr. Gambee, house bill No. 53 was tabled.

House bill No. 64 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Botkin, Butler, Durham, Fox, Gambee, Hall, Hansard, Hardy, Holmes, Killian, Lamson, McAlister, McCall, McCracken, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Mulkey, Paquet, Reed, Richey, Starr, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—35.

Nays—Messrs. Armstrong, Coleman, Crook, Dustin, Garfield, Jennings, Leeper, Minto, Shedd, Snider, Stephenson and Wilkins—12.

Absent—Messrs. Blundell, Furry, Hartman, Henry, Johnston, Littig, Manning, McCoy, Miller, Montgomery, Morey, Myer and Stewart—13.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Minto, house bill No. 32 was indefinitely postponed.

House bill No. 34 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Botkin, Crook, Killian, McCall, McCracken, Merritt, Meussdorffer, Paquet, Reed, Richey, Snider and Story—14.

Nays—Messrs. Armstrong, Barrett, Butler, Coleman, Durham, Dustin, Fox, Gambee, Hall, Hansard, Hardy, Jennings, Lamson, Leeper, McAlister, Minto, Moor of Benton, Moore of Washington, Mulkey, Starr, Stephenson, Stillwell, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—28.

Absent—Messrs. Blundell, Furry, Garfield, Hartman, Henry, Holmes, Johnston, Littig, Manning, McCoy, Miller, Montgomery, Morey and Shedd—14.

Not voting—Messrs. Myer, Stewart, Thomas and Tracy—4.

So the bill failed to pass.

House bill No. 42 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Butler, Crook, Durham, Fox, Gambee, Hardy, Killian, Lamson, McCall, McCracken, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Paquet, Stewart, Stillwell, Thomas, Tracy, Weed, Welch, Wright, and Mr. Speaker—26.

Nays—Messrs. Barnes, Coleman, Dustin, Hansard, Holmes, Jennings, Leeper, McAlister, Minto, Mulkey, Richey, Shedd, Stephenson, Thompson and Wilkins—15.

Absent—Messrs. Blundell, Botkin, Furry, Garfield, Hall, Hartman, Henry, Johnston, Littig, Manning, McCoy, Miller, Montgomery, Morey, Myer, Reed, Snider, Starr and Story—19.

So the bill failed to pass.

On motion of Mr. Durham, house bill No. 152 was indefinitely postponed.

On motion Mr. Hall, house bill No. 104 was indefinitely postponed.

On motion of Mr. Minto, house bill No. 29 was indefinitely postponed.

On motion of Mr. Story, house bills Nos. 290 and 301 were ordered printed.

On motion of Mr. Jennings, a call of the house was ordered, and all of the members were present except Messrs. Furry, Johnston, Meussdorffer, Myer and Stewart.

Messrs. Furry, Myer and Johnston were excused.

On motion of Mr. Armstrong, the further call of the house was dispensed with.

House bill No. 203 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Crook, Durham, Dustin, Fox, Hall, Hansard, Hardy, Holmes, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Mulkey, Paquet, Reed, Richey, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—41.

Nays—Messrs. Coleman, Jennings and Shedd—3.

Absent—Messrs. Blundell, Furry, Gambee, Garfield, Hartman, Henry, Johnston, Littig, Manning, McCoy, Miller, Montgomery, Morey, Myer, Snider and Starr—16.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Minto moved that the house adjourn until 10 o'clock A. M. to-morrow.

Motion lost.

House bill No. 204 was read the third time.

Mr. Hall moved that the bill be laid on the table.

Motion lost.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Hansard, Holmes, Jennings, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Mulkey, Myer, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Tracy, Thomas, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—44.

Nays—Messrs. Hall, Hardy and Killian—3.

Absent—Messrs. Blundell, Furry, Garfield, Hartman, Henry, Johnston, Littig, Manning, McCoy, Miller, Montgomery, Morey and Snider—13.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Armstrong, the house adjourned.

R. R. HAYS,
Chief clerk.

SATURDAY, FEBRUARY 14, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 14, 1891. }

The house was called to order at 9:30 o'clock A. M., Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Blundell, Hartman, Henry, Johnston, Littig, Manning, McCoy, Meussdorffer, Miller, Minto, Montgomery and Morey.

On motion of Mr. Thomas, the reading of the journal was dispensed with.

By request of Mr. Stephenson, Mr. Johnston was excused on account of sickness.

Mr. McCracken moved that house bill No. 226 be laid upon the table.

Motion prevailed.

The committee on education, with leave to report at any time, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 14, 1891. }

Mr. Speaker:

Your committee on education, to whom was referred senate bill No. 24, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

J. E. BLUNDELL,
Chairman.
WM. ARMSTRONG,

On motion of Mr. Blundell, the report was adopted.

House bill No. 166 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Fox, Gambee, Garfield, Hall, Hansard, Hardy, Holmes, Leeper, McCracken, Moor of Benton, Moore of Washington,

Stephenson, Stewart, Stillwell, Story, Thomas, Wilkins, Wright, and Mr. Speaker—28.

Nays—Messrs. Coleman, Crook, Dustin, Furry, Jennings, Lamson, McCall, Merritt, Myer, Reed, Richey, Shedd, Snider, Starr, Thompson, Tracy, Weed and Welch—18.

Absent—Messrs. Hartman, Henry, Johnston, Killian, Littig, Manning, McAlister, McCoy, Meussdorffer, Miller, Minto, Montgomery, Morey and Mulkey—14.

So the bill failed to pass.

House bill No. 157 was read the third time.

On motion of Mr. Paquet, the bill was referred to Mr. Minto with leave to report at any time.

House bill No. 94 was read the third time.

Mr. Wilkins asked unanimous consent to withdraw the bill.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Crook, Durham, Fox, Gambee, Garfield, Hall, Killian, Lamson, Leeper, McCall, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Reed, Richey, Snider, Starr, Stillwell, Story, Thomas, Weed, Wilkins, Wright, and Mr. Speaker—31.

Nays—Messrs. Barnes, Butler, Coleman, Dustin, Furry, Hansard, Hardy, Holmes, Jennings, McAlister, Myer, Paquet, Shedd, Stephenson, Thompson, Tracy and Welch—17.

Absent—Messrs. Hartman, Henry, Johnston, Littig, Manning, McCoy, Meussdorffer, Miller, Montgomery, Morey, Mulkey and Stewart—12.

So the bill was withdrawn.

House bill No. 136 was read the third time.

On motion of Mr. Durham, further consideration of the bill was indefinitely postponed.

House bill No. 155 was read the third time.

Mr. Moor of Benton moved that the bill be withdrawn.

Motion prevailed.

House bill No. 21 was read the third time.

On motion of Mr. Story, the bill was re-referred to the committee on mining for the purpose of amendment, with leave to report at any time.

The committee on fisheries, with leave to report at any time, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 14, 1891. }

Mr. Speaker:

Your committee on fisheries, to whom was referred house bill No. 240, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass, as house bill No. 112 covers this subject.

A. W. REED,
Chairman.

On motion of Mr. Reed, the report was adopted.

The committee on fisheries, with leave to report at any time, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 14, 1891. }

Mr. Speaker:

Your committee on fisheries, to whom was referred house bill No. 158, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

A. W. REED,
Chairman.

On motion of Mr. Reed, the report was adopted.

House bill No. 231 was read the third time.

On motion of Mr. Coleman, the bill was referred to the committee on counties, with leave to report at any time.

House bill No. 165 was read the third time.

Mr. Welch moved to refer the bill to the committee on claims for the purpose of correction.

Lost.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Furry, Gambee, Hansard, Hardy, Jennings, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider,

Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, Wright, and Mr. Speaker—40.

Nays—Messrs. Durham, Dustin, Garfield, Hall, Holmes, Tracy and Welch—7.

Absent—Messrs. Fox, Hartman, Henry, Johnston, Littig, Manning, McCoy, Meussdorffer, Miller, Montgomery, Morey and Mulkey—12.

Not voting—Mr. Armstrong—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on agriculture, with leave to report at any time, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 14, 1891. }

Mr. Speaker:

Your committee on agriculture, to whom was referred house bill No. 157, for which a substitute is hereby offered, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN MINTO,
Chairman.

On motion of Mr. Minto, the report was adopted with the substitute.

Mr. Minto asked unanimous consent that the rules be suspended and house bill No. 303, being the substitute for house bill No. 157, be read the first time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Spider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—46.

Nays—None.

Absent—Messrs. Garfield, Hartman, Henry, Johnston, Littig, Manning, McCoy, Meussdorffer, Miller, Montgomery, Morey, Mulkey, Shedd and Stephenson—14.

So the rules were suspended, and house bill No. 303 [was read the first time and passed to second reading without further question.]

Mr. Minto introduced house bill No. 303, a substitute for house bill No. 157:

"A bill for an act to provide for the construction of a fishway over the falls of the Willamette river at Oregon City, and for the maintenance of the same, and to appropriate money therefor."

The bill was read the first time and passed to second reading without a question.

Mr. Coleman moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Garfield, Hartman, Littig, Manning, McCoy, Meussdorffer, Miller, Montgomery, Morey and Mulkey—10.

So the rules were suspended, the bill read the second time by title, and passed to a third reading without further question.

On motion of Mr. Minto, the bill was considered engrossed, and passed to third reading.

Mr. Moore of Washington moved to suspend the rules and the bill be put on its third reading.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Hall, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—45.

Nays—Mr. Furry—1.

Absent—Messrs. Garfield, Hansard, Hartman, Henry, Johnston, Littig, Manning, McCoy, Meussdorffer, Miller, Montgomery, Morey, Mulkey and Shedd—14.

So the rules were suspended.

After discussion, Mr. Barnes moved the previous question.

Carried.

Mr. Paquet rises to a question of privilege to explain his objections to the bill.

House bill No. 303 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Myer, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Story, Thomas, Thompson, Tracy, Weed, Wilkins, and Mr. Speaker—43.

Nays—Messrs. Paquet, Stillwell and Welch—3.

Absent—Messrs. Garfield, Hansard, Hartman, Henry, Johnston, Littig, Manning, McCoy, Meussdorffer, Miller, Montgomery, Morey, Mulkey and Wright—14.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Shedd, Mr. Hansard was excused.

Mr. Hall moved that the rules be suspended and house bill No. 304, being a substitute for house bill No. 112, read the first time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—46.

Nays—None.

Absent—Messrs. Garfield, Hansard, Hartman, Henry, Johnston, Littig, Manning, McCoy, Meussdorffer, Miller, Montgomery, Morey, Mulkey and Wright—14.

So the rules were suspended and house bill No. 304, being a bill for an act to amend sections 1930, 1933, 1935, 1936, 1937, 1939, 1941, 1943, 1948, and section 1940, as the same was amended by section 2 of an act of the legislature of the state of Oregon, approved February 25, 1889, of the codes and general laws of the state of Oregon, compiled and annotated by Wm. Lair Hill, providing for the protection of the game and fish of the state of Oregon, and providing for the creation of a fund for the protection of the game and fish of this state, read the first time and passed to a second reading without further question.

Mr. Hall moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—46.

Nays—None.

Absent—Messrs. Garfield, Hansard, Hartman, Henry, Johnston, Littig, Manning, McCoy, Meussdorffer, Miller, Montgomery, Morey, Mulkey and Wright—14.

So the rules were suspended, the bill read the second time by title, and passed to third reading without further question.

On motion of Mr. Hall, the bill was considered engrossed, ordered printed, and passed to a third reading.

Mr. Thomas moved that when the house adjourn it stand adjourned until next Monday at 2 o'clock P. M.

Carried.

The committee on judiciary, with leave to report at any time, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 14, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 295, introduced by Mr. Killian, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that there is no legal objection to its passage.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

The committee on judiciary, with leave to report at any time, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALAM, Oregon,
February 14, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred senate bill No. 8, introduced by Mr. Cogswell, beg leave to report that they have had the same under consideration, and would respectfully report back to the house with the recommendation that it do pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

Mr. Hall moved that house bill No. 295 be considered engrossed and passed to third reading.

Carried.

House bill No. 190 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Botkin, Butler, Coleman, Crook, Furry, Holmes, Jennings, Killian, McAlister, McCall, McCracken, Minto, Moor of Benton, Moore of Washington, Shedd, Snider, Starr, Stephenson, Story, Thomas, Thompson, Tracy, Weed, and Mr. Speaker—28.

Nays — Messrs. Barrett, Durham, Dustin, Fox, Hall, Lamson, Leeper, Merritt, Myer, Paquet, Reed, Richey, Stewart, Stillwell, Welch, Wilkins and Wright—17.

Absent—Messrs. Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Johnston, Littig, Manning, McCoy, Meussdorffer, Miller, Montgomery, Morey and Mulkey—15.

So the bill failed to pass.

House bill No. 169 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Blundell, Botkin, Coleman, Crook, Dustin, Fox, Furry, Gambee, Hall, Hardy, Holmes, Jennings, Killian, Leeper, McAlister, McCall, McCracken, Minto, Moor of Benton, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Story, Thomas, Thompson, Welch, Wilkins, Wright, and Mr. Speaker—36.

Nays—Messrs. Barnes, Barrett, Butler, Durham, Lamson, Merritt, Moore of Washington, Myer, Stillwell, Tracy and Weed—11.

Absent—Messrs. Garfield, Hansard, Hartman, Henry, Johnston,

Littig, Manning, McCoy, Meussdorffer, Miller, Montgomery, Morey and Mulkey—13.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Hall was called to the chair.

The committee on agriculture, with leave to report at any time, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 14, 1891. }

Mr. Speaker:

Your committee on agriculture, to whom was referred house bill No. 301, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN MINTO,
Chairman.

On motion of Mr. Minto, the report was adopted.

By unanimous consent, the committee on agriculture submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 29, 1891. }

Mr. Speaker:

Your committee on agriculture, to whom was referred house bill No. 86, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN MINTO,
Chairman.

On motion of Mr. Minto, the report was adopted.

Mr. Crook moved that house bill No. 301 be considered engrossed, and passed to third reading.

Carried.

House bill No. 115 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Blundell, Botkin, Butler, Crook, Durham,

Dustin, Fox, Furry, Gambee, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—43.

Nays—Messrs. Armstrong, Barrett, Coleman and Hall—4.

Absent—Messrs. Garfield, Hansard, Hartman, Henry, Johnston, Littig, Manning, McCoy, Meussdorffer, Miller, Montgomery, Morey and Mulkey—13.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 77 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Coleman, Durham, Furry, Hardy, Jennings, Leeper, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Paquet, Reed, Richey, Shedd, Stephenson, Stewart, Story, Tracy, Weed, Wilkins, and Mr. Speaker—27.

Nays—Messrs. Blundell, Butler, Crook, Dustin, Fox, Gambee, Hall, Holmes, McAlister, McCall, Myer, Snider, Starr, Thomas, Thompson, Welch and Wright—17.

Absent—Messrs. Garfield, Hansard, Hartman, Henry, Johnston, Killian, Lamson, Littig, Manning, McCoy, Meussdorffer, Miller, Montgomery, Morey, Mulkey and Stillwell—16.

So the bill failed to pass.

The committee on engrossed bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 14, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bills Nos. 158, 240, 150, 170 and 9, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

Mr. Speaker resumed the chair.

By unanimous consent, Mr. Welch introduced house resolution No. 46.

HOUSE RESOLUTION NO. 46.

Resolved, That a committee of three be appointed to compute and report the amount of mileage due each member of the house for coming and returning from the present session of the legislature.

Mr. Welch moved that the resolution be adopted.

Carried.

By unanimous consent, Mr. Merritt introduced house joint resolution No. 9:

HOUSE JOINT RESOLUTION NO. 9.

Whereas the law creating the state board of agriculture and all other agricultural societies in the state provides that they "shall collate and distribute reliable information to encourage immigration;" and

Whereas there are several counties in the state which are not included within any agricultural district; and

Whereas the edition of "The Resources of Oregon," ordered printed by the last legislature, is out of print, having been distributed abroad; and

Whereas there has been and is now a great demand for reliable statistical and descriptive data relative to the agricultural and other industrial interests of Oregon from all parts of the union; therefore be it

Resolved by the Legislative Assembly of the State of Oregon:

That the state board of agriculture be and is hereby authorized and directed to collate reliable statistical and descriptive data relative to the agricultural and other industrial interests of the state at large, and by counties; said information, when compiled, not to exceed in size a pamphlet of 200 printed pages.

Resolved further, that the several agricultural societies within the state be and are hereby directed to prepare and forward to the state board of agriculture reliable information showing the resources of the counties embraced in their respective districts, and the state board is also empowered to invite the co-operation of the various boards of trade and citizens of the several counties within the state in obtaining the most correct information relative to the natural advantages and resources of their respective cities, towns and counties.

Resolved further, that the secretary of state, upon the delivery of the manuscript to him, shall cause to be printed 50,000 copies of the pamphlet, also suitable maps, and shall, when the pamphlets are completed, cause the same to be distributed at the world's fair, and

elsewhere, in such manner as he may deem most convenient and practicable for the purpose of inducing immigration to this state.

Mr. Merritt moved the resolution be adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Blundell, Botkin, Butler, Coleman, Dustin, Fox, Furry, Hardy, Jennings, Leeper, McAlister, McCall, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Reed, Richey, Snider, Stewart, Story, Thomas, and Mr. Speaker—26.

Nays—Messrs. Durham, Hall, Holmes, Killian, Lamson, Myer, Starr, Stephenson, Stillwell, Thompson and Weed—11.

Absent—Messrs. Baker, Barrett, Crook, Gambie, Garfield, Hansard, Hartman, Henry, Johnston, Littig, Manning, McCoy, Meussdorffer, Miller, Montgomery, Morey, Mulkey, Paquet, Shedd, Tracy, Welch, Wilkins and Wright—23.

So the resolution was lost.

By unanimous consent, Mr. Fox introduced house concurrent resolution No. 23, and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO. 23.

Resolved by the House, the Senate concurring:

That a committee of five, consisting of three members of the house and two members of the senate, be appointed to examine the books and papers of the Oregon domestic animal commission, and of the board of state reform school building commissioners, and to report their findings thereon to the legislative assembly; and that such committee be authorized to employ necessary clerical aid.

Carried.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 14, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bills Nos. 181, 117 and 111, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

By unanimous consent, Mr. Killian introduced house joint resolution No. 10, and moved its adoption:

HOUSE JOINT RESOLUTION NO. 10.

Whereas this legislative assembly has learned with profound regret of the death of General W. T. Sherman; therefore, be it

Resolved, That in the death of General Sherman the country has lost one of the greatest military commanders of the age and one of the most sagacious and intrepid defenders of the union. In many hard fought battles, in many military movements and operations, and finally in the celebrated march from "Atlanta to the Sea," General Sherman proved that he had few equals as a general in either ancient or modern times.

Resolved, That not only as a great captain during the nation's long and terrible struggle for the union, but as a patriotic and liberty-loving but unambitious citizen in times of peace, General Sherman has been entitled to the highest esteem and gratitude of millions of American freemen; and his name and the record of his deeds will endure through succeeding generations as that of a truly great soldier and exalted patriot.

Resolved, therefore, That we hereby express our respect, esteem and admiration for the distinguished services and notable character of the deceased, and our appreciation of his great services to his country; though his life is ended, it has been well rounded out with glory and with honor.

Resolved, That a copy of these resolutions be spread upon the journals of each house, and the secretary of state instructed to send copies thereof to our senators and representative at Washington, to the secretary of war, and to the family of the deceased.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Dustin, Fox, Furry, Gambia, Hall, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—44.

Nays—None.

Absent—Messrs. Coleman, Crook, Garfield, Hansard, Hartman, Henry, Johnston, Littig, Manning, McCoy, Meussdorffer, Miller, Montgomery, Morey, Mulkey and Wright—16.

So the resolution was adopted.

By unanimous consent, Mr. Jennings introduced house joint resolution No. 11, and moved its adoption:

HOUSE JOINT RESOLUTION NO. 11.

Resolved by the House, the Senate concurring :

That the secretary of state be and is hereby authorized and directed to forward by mail, as soon as may be after their publication, one copy each of the house journal, senate journal, and session laws of the sixteenth biennial session of the Oregon legislature, 1891, to each member of the house and senate, and chief clerks and assistants of the house and senate.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hansard, Hardy, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCall, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, and Mr. Speaker—38.

Nays—None.

Absent—Messrs. Crook, Garfield, Hall, Hartman, Henry, Johnston, Littig, Manning, McCoy, McCracken, Merritt, Meussdorffer, Miller, Montgomery, Morey, Mulkey, Richey, Shedd, Snider, Starr, Wilkins and Wright—22.

So the resolution was adopted.

Mr. Speaker appointed as a committee under house resolution No. 46, Messrs. Welch, Starr and Coleman.

The speaker appointed as the house committee under house concurrent resolution No. 23, Messrs. Fox, Moor of Benton, and Dustin.

By unanimous consent, Mr. Jennings introduced house resolution No. 47, and moved its adoption.

HOUSE RESOLUTION NO. 47.

Resolved, That there be a committee of three, consisting of the speaker and two other members appointed by him, whose duty it shall be to examine, correct and approve the journals of the house not read and approved during this session; said approval to be made as soon as may be after the close of the present session of the legislative assembly.

Carried.

By unanimous consent, Mr. Jennings introduced house joint memorial No. 12, and moved its adoption.

HOUSE JOINT MEMORIAL NO. 12.

To the Honorable Senators and Representative from Oregon, and to the Honorable Senate and House of Representatives in Congress Assembled :

Your memorialists, the legislative assembly of the state of Oregon, respectfully represent to your honorable body that the Siuslaw river, in this state, is a navigable stream for sea-going vessels for more than thirty miles inland from where said river empties into the Pacific ocean; and that said stream and its tributaries drain a region of about nine hundred square miles of rich soil, immense forests of valuable timber, fields of undeveloped coal mines, and salmon fisheries of great importance, with a rapidly increasing population, and valuable growing commerce, and that the growth and development of this important region will be greatly promoted by the proper improvement of the bar at the mouth of said river, which can be easily and cheaply done by jetties.

We, your memorialists, therefore urgently request that such action be taken, and such appropriation be made, as will effectually improve the mouth of said river.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hardy, Jennings, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright and Mr. Speaker—44.

Nays—None.

Absent—Messrs. Crook, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Johnston, Littig, Manning, McCoy, Meussdorffer, Miller, Montgomery, Morey and Mulkey—16.

So the memorial was adopted.

On motion of Mr. Thomas, the house adjourned.

R. R. HAYS,
Chief clerk.

MONDAY, FEBRUARY 16, 1891.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1891. }

The house was called to order at 2 o'clock P. M., Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Blundell, Littig, McCoy, Montgomery, Paquet, Shedd and Wright.

The house was opened with prayer by Rev. Mr. Gwynne of Salem.

On motion of Mr. Stewart, the reading of the journal was dispensed with.

On motion of Mr. McCracken, the courtesies of the house were extended to Hon. R. P. Earhart.

The committee on engrossed bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 14, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bills Nos. 237 and 151, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

Mr. Johnston moved that house bill No. 237 be referred to a special committee consisting of the delegations from Wasco and Sherman counties, with leave to report at any time.

Carried.

Mr. Morey moved that the vote by which senate bill No. 99 was lost be reconsidered.

Carried.

Mr. Morey then moved that senate bill No. 99 be referred to the committee on railways and transportation, with leave to report at any time.

Carried.

Mr. Hall moved to reconsider the vote by which house joint resolution No. 9 was lost.

Carried.

Mr. Merritt moved that house joint resolution No. 9 be referred to the committee on agriculture, with leave to report at any time.

Carried.

Mr. Thomas moved that the vote by which house bill No. 302 was lost be reconsidered.

Carried.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barrett, Botkin, Crook, Durham, Fox, Hall, Hardy, Hartman, Jennings, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Paquet, Reed, Snider, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—37.

Nays—Messrs. Armstrong, Barnes, Blundell, Butler, Coleman, Dustin, Furry, Gambee, Garfield, Hansard, Henry, Holmes, Killian, Myer, Mulkey, Richey, Shedd, Starr, Stephenson and Thompson—20.

Absent—Messrs. Johnston, Littig and Montgomery—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker announced that he was about to sign house bills Nos. 111, 117 and 181, and soon after stated that he had so signed.

The speaker announced that he was about to sign house bill No. 218 of the fifteenth biennial session, which had passed the house and senate notwithstanding the objections of the governor, and soon after announced that he had so signed.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 225, a bill for an act to fix the time of holding the terms of the county court of Clatsop county, and to repeal so much of section 2335 of the laws of Oregon, as compiled and annotated by W. Lair Hill, as conflict with this act.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

The speaker appointed as a committee under house resolution No. 41, Messrs. McCoy, Wright and Holmes.

House bill No. 216 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Blundell, Botkin, Butler, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hardy, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Snider, Starr, Stillwell, Story, Thomas, Weed, Wright, and Mr. Speaker—40.

Nays—Messrs. Barnes, Barrett, Coleman, Hansard, Hartman, Holmes, Jennings, Johnston, McCoy, Paquet, Shedd, Stephenson, Stewart, Thompson, Tracy, Welch and Wilkins—17.

Absent—Messrs. Henry, Littig and Montgomery—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The special committee on apportionment submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1891. }

Mr. Speaker:

Your committee on apportionment, to whom was referred house bill No. 297, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Strike out the words "one thousand eight hundred and ninty-two" in section —, and insert the figures "1892" in lieu thereof.

AMENDMENT.

In line 25, page 2, printed bill, strike out the word "Clatsop" and insert the word "Washington" in lieu thereof.

AMENDMENT.

Add the following section to the bill:

Section 5. That section 2186, 2187, 2188, 2189, 2190, 2191 and 2192, title 1, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, be and the same is hereby repealed.

AMENDMENT.

Add the following at the end of section 4: "*Provided*, that the Hon. H. E. Cross, joint senator for the thirteenth senatorial district, (on account of the death of Hon. E. L. Eastham, senator-elect from Clackamas county,) shall be considered the senator for Clackamas county, the fourteenth senatorial district created by this act, and at the next general election, to be held on the first Monday in June, 1892, the sixteenth senatorial district shall elect a joint senator for the term of two years."

On motion of Mr. Thomas, the report with amendments was adopted.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills Nos. 4, 7, 29, 73, 69, 160 and 202 are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 4, 7, 29, 73, 69, 160 and 202, and soon after stated that he had so signed.

The committee on counties submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker:

Your committee on counties, to whom was referred house bill No. 231, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Amend section 1 as follows: Strike out all after the word "him," in line 3 of printed bill, and insert the following: "and the secretary of state be and is hereby authorized to draw his warrant on the

state treasurer for that sum in favor of the said A. M. Osburn, taking his receipt therefor."

JUDSON WEED,
Chairman.

On motion of Mr. Weed, the report with amendment was adopted. House bill No. 138 was read the third time.

On motion of Mr. Gambee, the bill was laid on the table.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 175, a bill for an act to provide for the finding of the indebtedness of counties.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

House bill No. 263 coming on for third reading, Mr. Miller moved that the bill be laid on the table.

Carried.

House bill No. 232 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hardy, Hartman, Henry, Jennings, Johnston, Killian, Lamson, Leeper, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Reed, Richey, Shedd, Snider, Stewart, Stillwell, Story, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—46.

Nays—Messrs. Hansard, Holmes, Manning, McAlister, Paquet, Starr, Stephenson, Thomas and Thompson—9.

Absent—Messrs. Blundell, Coleman, Littig, Montgomery and Myer—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 271 coming on for third reading, Mr. Holmes moved that it be referred to the Marion county delegation with leave to report at any time.

Carried.

The committee on engrossed bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bill No. 86, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bills Nos. 67, 194, 227 and 275, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house bills Nos. 67, 194, 227 and 275, and soon after stated that he had signed the same.

Mr. Jennings moved that house bill No. 289 be considered engrossed.
Carried.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, Oregon, }
February 16, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bill No. 218, of the 15th biennial session, and passed by the house and senate notwithstanding the objections and veto of the governor.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

House bill No. 54 coming on for third reading, Mr. Hall asked unanimous consent that the clerk make correction of clerical error in section 2, and strike out the word "blackbird."

Granted.

So the clerk made the correction.

House bill No. 54 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Dustin, Fox, Furry, Gambia, Hall, Hardy, Henry, Holmes, Johnston, Killian, Lamson, Manning, McAlister, McCall, McCoy, McCracken, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright and Mr. Speaker—48.

Nays—Messrs. Coleman, Hansard, Jennings, Leeper, Merritt, Myer and Stephenson—7.

Absent—Messrs. Crook, Garfield, Hartman, Littig and Montgomery—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house joint resolution No. 11.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the adoption of house joint memorial No. 12.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the adoption of house joint resolution No. 10.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

House bill No. 224 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—Messrs. Manning, Myer and Stephenson—3.

Absent—Messrs. Crook, Fox, Johnston, Littig, McCoy, Montgomery and Stewart—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 215 coming on for third reading, Mr. Dustin moved that the bill be referred to the committee on fisheries, with leave to report at any time.

Carried.

Mr. Welch, as chairman of the special committee on mileage of the members of the house, asked unanimous consent to make a report.

Granted.

The committee then submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker:

Your committee on mileage beg leave to report that they have

had the same under consideration, and herewith submit their report:

<i>Name.</i>	<i>Miles.</i>	<i>Amount.</i>
Wm. Armstrong.....	137	\$ 20 55
J. A. Baker.....	---	---
E. W. Barnes.....	840	126 00
W. N. Barrett.....	144	21 60
J. E. Blundell.....	526	78 90
O. F. Botkin.....	218	32 70
N. L. Butler.....	30	4 50
E. P. Coleman.....	164	24 60
A. H. Crook.....	500	75 00
S. A. Durham.....	136	20 40
C. S. Dustin.....	680	102 00
John Fox.....	440	66 00
Samuel Furry.....	580	87 00
E. B. Gambee.....	672	100 80
J. D. Garfield.....	560	84 00
John Hall.....	104	15 60
F. C. Hansard.....	84	12 60
Edwin Hardy.....	816	122 40
E. M. Hartman.....	62	9 30
J. F. Henry.....	330	49 50
W. H. Holmes.....	---	---
A. C. Jennings.....	140	21 00
G. W. Johnston.....	312	46 80
J. L. Killian.....	620	93 00
H. W. Lamson.....	250	37 50
W. H. Leeper.....	270	40 50
Thos. Littig.....	1000	150 00
Wm. Manning.....	204	30 60
John W. McAllister.....	718	107 70
J. M. McCall.....	1460	219 50
E. O. McCoy.....	700	105 00
John McCracken.....	104	15 60
J. W. Merritt.....	570	85 50
C. H. Meussdorffer.....	104	15 60
H. B. Miller.....	600	90 00
John Minto, Sr.....	---	---
J. B. Montgomery.....	320	48 00
C. E. Moor, of Benton.....	100	15 00
J. C. Moore, of Washington.....	168	25 20
P. F. Morey.....	104	15 60
W. J. Mulkey.....	740	111 00
G. W. Myer.....	40	6 00
Peter Paquet.....	80	12 00
A. W. Reed.....	436	65 40
J. S. Richey.....	680	102 00
C. J. Shedd.....	80	12 00
A. Snider.....	1014	152 10
M. T. Starr.....	110	16 50
T. J. Stephenson.....	560	84 00
J. T. Stewart.....	104	15 60
W. D. Stillwell.....	300	45 00
Geo. I. Story.....	104	15 60
W. E. Thomas.....	104	15 60
J. C. Thompson.....	500	75 00
J. M. Tracy.....	100	15 00
Judson Weed.....	300	45 00
J. W. Welch.....	490	73 50
Jasper Wilkins.....	168	25 20
J. A. Wright.....	1040	156 00
Mr. Speaker.....	20	3 00

JAS. W. WELCH,
Chairman.

Mr. Barnes moved that the clerk make the following amendment: Instead of 850 miles for Mr. Barnes, make it 840.

On motion of Mr. Welch, the report with amendments was adopted.

Mr. Minto moved that the sergeant-at-arms be ordered to invite all ex-members of the house and senate to seats within the bar at any time they may happen to visit this house.

The motion prevailed.

House bill No. 223 was read the third time.

The question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey Reed, Richey, Shedd, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—51.

Nays—Messrs. McCall, Paquet, Snider, Stephenson and Wright—5.

Absent—Messrs. Littig, McCoy, Minto and Montgomery—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 250 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Botkin, Fox, Gambee, Hardy, Hartman, Holmes, Johnston, Killian, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Morey, Mulkey, Paquet, Richey, Starr, Stewart, Stillwell, Thomas, Thompson, Weed, and Mr. Speaker—29.

Nays—Barrett, Butler, Crook, Durham, Dustin, Furry, Garfield, Hansard, Henry, Jennings, Lamson, Leeper, Manning, McAlister, McCall, Miller, Moore of Washington, Reed, Shedd, Snider, Stephenson, Story, Tracy, Welch, Wilkins and Wright—26.

Absent—Messrs. Coleman, Hall, Littig, Montgomery and Myer—5.

So the bill failed to pass.

The committee on engrossed bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bill No. 297, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

The speaker submitted the following messages from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house joint resolution No. 8.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bills Nos. 117, 111, 67, 255, 43, 181, 194, 209, 26 and 124.

And the same are herewith returned to you.

O. P. MILLER,
Chief clerk.

House bill No. 222 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McCall, McCracken, Merritt,

Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Henry, Littig, McAlister, McCoy, Montgomery, Myer and Stewart—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 6 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Gambee, Garfield, Holmes, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Welch, Wright, and Mr. Speaker—35.

Nays—Messrs. Coleman, Crook, Dustin, Fox, Furry, Hall, Hansard, Hartman, Henry, Jennings, Merritt, Miller, Paquet, Shedd, Snider, Stephenson, Thompson, Weed and Wilkins—19.

Absent—Messrs. Armstrong, Hardy, Littig, McCoy, Meussdorffer and Montgomery—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on engrossed bills submitted the following:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 16, 1891.

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bill No. 231, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker :

I am directed by the president to inform you that he has signed house bills Nos. 227 and 275.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 204, a bill for an act to appropriate money for the purchase of a new site for the Oregon school for deaf-mutes.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bill No. 184 with the following amendment:

AMENDMENT.

In section 20, strike out the word "Linn," so that section 20 will read: The counties of Polk, Douglas and Union are excepted from the provisions of this act.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Jennings, the house concurred in the senate amendments.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 220, a bill for an act to amend section 1890 of the miscellaneous laws of Oregon as compiled by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

The speaker announced that the consideration of house bill No. 297 was a special order for this hour.

So house bill No. 297 was read the third time.

Mr. Durham moved to indefinitely postpone further consideration of the bill.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Coleman, Durham, Hansard, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Manning, McCoy, McCracken, Merritt, Minto, Moore of Washington, Shedd, Thompson, Weed, Wilkins, and Mr. Speaker—25.

Nays—Messrs. Blundell, Botkin, Butler, Crook, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hardy, Hartman, Leeper, McAlister, McCall, Meussdorffer, Miller, Moor of Benton, Morey, Myer, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Welch and Wright—33.

Absent—Messrs. Littig and Montgomery—2.

So the motion to indefinitely postpone house bill No. 297 was lost.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Butler, Crook, Dustin, Fox, Gambee, Hall, Hardy, Hartman, Leeper, McAlister, Miller, Moor of Benton, Morey, Myer, Reed, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Tracy, Weed, Welch and Wright—26.

Nays—Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Coleman, Durham, Furry, Garfield, Hansard, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moore of Washington, Mulkey, Paquet,

Richey, Shedd, Stewart, Thompson, Wilkins, and Mr. Speaker—32.

Absent—Messrs. Littig and Montgomery—2.

So the bill failed to pass.

Mr. Barrett introduced house resolution No. 48:

HOUSE RESOLUTION NO. 48.

Whereas there are a large number of corporation bills, both senate and house bills, yet on the calendar of this house; and

Whereas it is important that the committee on enrolled bills have those bills so as to have ample time to enroll them; therefore be it

Resolved, That this evening session be devoted to the consideration of senate and house corporation bills.

On motion of Mr. Barrett, the resolution was adopted.

On motion of Mr. Gambee, the house adjourned.

EVENING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1891. }

At 7:30 o'clock the house was called to order, Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Botkin, Butler, Crook, Johnston, Littig, McCoy, Minto, Montgomery, Story and Tracy.

The special committee consisting of the Marion county delegation submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 14, 1891. }

Mr. Speaker:

Your committee, the Marion county delegation, to whom was referred senate bill No. 182, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Strike out all of section 2 after the word "follows," on line 2, and substitute the following: Commencing at a point on the Santiam river five hundred feet south of the south line of Smith's addition to the city of Jefferson, in Marion county, Oregon; thence running east two thousand feet; thence north to the north line of Jacob Conser's donation claim No. 63; thence west eighteen hundred feet; thence south to the north side of Church street; thence west along Church street to the center of the Santiam; thence up the center of said river to a point opposite the place of beginning; thence east to the place of beginning.

AMENDMENT.

Beginning at the figure "9," line 2, section 11, strike out from the figure "9" to the word "noon" inclusive, and insert instead thereof the following: "12 o'clock M., and continue until 4 o'clock P. M."

AMENDMENT.

Section 31, article 2, after the words "per annum," on line 5, insert the words: "except by a direct vote of the qualified electors, who may increase the levy to eight mills per annum."

AMENDMENT.

In line 18 of article 2, section 31, strike out the words "city of Jefferson," and insert instead thereof the words "state of Oregon."

AMENDMENT.

Strike out all from the word "except," in line 32, article 9, section 31, to the word "ordinance," in line 35, same article, inclusive, and insert the following: "*provided, further,* that no license shall be issued except petitioned for by a majority of the legal voters of the city."

AMENDMENT.

In line 73, article 9, section 31, between the words "to" and "same," insert the word "whom."

AMENDMENT.

In line 7, article 36, section 31, strike out the word "the," and after the word "limit," in line 8, same article, insert the word "and."

AMENDMENT.

After the figures "62," in line 21, section 61, add the following: "*provided*, that for all such improvements of streets, the council shall pay out of the general fund one-half the cost of improving and grading."

AMENDMENT.

In line 28, section 109, strike out the words "city of Jefferson," and insert instead thereof the words "state of Oregon."

AMENDMENT.

In line 6, section 114, strike out the word "an," and insert the word "and" instead thereof.

AMENDMENT.

In line 2, section 150, strike out the words "store, shop, grocery."

AMENDMENT.

Strike out all of section 153, and substitute the following:

Section 153. This act shall not be in force until the 6th day of April, 1891, at which time the same shall be submitted to the legal voters of the city of Jefferson, at an election to be then held for the adoption or rejection of the same, which election shall be held under and in pursuance of the present charter and ordinances of said city; and if a majority of the legal voters then vote to adopt this charter, it shall then become the law of said city, otherwise it shall fail and be of no force.

JOHN MINTO,
Chairman.

On motion of Mr. Baker, the report with amendments was adopted. House bill No. 279 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Fox, Furry, Garfield, Hansard, Hardy, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—46.

Nays—Messrs. Johnston and Reed—2.

Absent—Messrs. Butler, Crook, Gambee, Hall, Hartman, Littig, McCracken, Minto, Montgomery, Paquet, Story and Tracy—12.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 161 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Fox, Furry, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Butler, Crook, Gambee, Hall, Johnston, Littig, McCoy, Minto, Montgomery and Stewart—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 170 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Fox, Furry, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Butler, Crook, Gambee, Hall, Johnston, Littig, McCoy, Minto, Montgomery and Story—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 137 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Fox, Furry, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Manning,

McAlister, McCracken, McCall, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—48.

Nays—None.

Absent—Messrs. Butler, Crook, Gambee, Hall, Johnston, Littig, McCoy, Miller, Minto, Montgomery, Starr and Story—12.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 197 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Fox, Furry, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Sewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—51.

Nays—None.

Absent—Messrs. Butler, Crook, Gambee, Hall, Johnston, Littig, McCoy, Minto and Montgomery—9.

So the bill passed; and there being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 193 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Fox, Furry, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McCall, McAlister, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—51.

Nays—None.

Absent—Messrs. Butler, Crook, Gambee, Hall, Littig, McCoy, McCracken, Minto and Montgomery—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 163 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Fox, Furry, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Butler, Crook, Gambee, Hall, Johnston, Littig, McCoy, Miller, Minto and Montgomery—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 198 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Fox, Furry, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Manning, McAlister, McCall, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Butler, Crook, Gambee, Hall, Johnston, Littig, McCoy, McCracken, Minto and Montgomery—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Baker, Mr. Minto was excused.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills Nos. 95 and 205, and senate joint resolution No. 9, and senate joint memorial No. 5, are reported as correctly enrolled.

And the same are herewith returned to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 95 and 205, senate joint resolution No. 9, and senate joint memorial No. 5, and soon after stated that he had signed the same.

Senate bill No. 25 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Fox, Furry, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Manning, McAlister, McCall, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—49.

Nays—None.

Absent—Butler, Crook, Gambee, Hall, Johnston, Littig, McCoy, McCracken, Miller, Minto and Montgomery—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 195 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Fox, Furry, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Manning, McAlister, McCall, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Butler, Crook, Gambee, Johnston, Littig, McCoy, McCracken, Miller, Minto, Montgomery and Reed—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 13 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Dustin, Fox, Furry, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper,

Manning, McAlister, McCall, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Richey, Snider, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—46.

Nays—None.

Absent—Messrs. Butler, Crook, Durham, Gambee, Johnston, Littig, McCoy, McCracken, Miller, Minto, Montgomery, Reed, Shedd and Starr—14.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 203 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Manning, McAlister, McCall, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Richey, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, Wright, and Mr. Speaker—45.

Nays—None.

Absent—Messrs. Armstrong, Butler, Crook, Johnston, Littig, McCoy, McCracken, Minto, Montgomery, Reed, Shedd, Snider, Starr, Tracy and Welch—15.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 212 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Manning, McAlister, McCall, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Butler, Crook, Hall, Johnston, Littig, McCoy, McCracken, Minto, Montgomery, Reed, Snider and Tracy—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 207 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Manning, McAlister, McCall, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Butler, Crook, Johnston, Littig, McCoy, McCracken, Miller, Minto, Montgomery, Reed and Starr—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 221 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Fox, Furry, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McAlister, McCall, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—47.

Nays—None.

Absent—Messrs. Butler, Crook, Gambee, Hall, Johnston, Killian, Littig, McCoy, McCracken, Miller, Minto, Montgomery and Tracy—13.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 182 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McAlister, McCracken, Merritt, Meussdorffer, Moore of Washington, Morey, Myer, Mulkey, Paquet, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—45.

Nays—None.

Absent—Messrs. Butler, Crook, Hall, Johnston, Killian, Littig, McCall, McCoy, Miller, Minto, Montgomery, Moor of Benton, Reed, Richey and Tracy—15.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The special committee consisting of the Multnomah delegation submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 16, 1891.

Mr. Speaker:

Your special committee, the Multnomah delegation, to whom was referred senate bill No. 100, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman.

On motion of Mr. Stewart, the report was adopted.

Senate bill No. 100 was read the third time.

On motion of Mr. Hall, the bill was referred to the Multnomah county delegation, with leave to report at any time.

On motion of Mr. Moor of Benton, the house returned to the first reading of senate bills.

FIRST READING OF SENATE BILLS.

Senate bill No. 216 was read the first time and passed to a second reading without question.

Mr. Weed moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Littig, Minto, Montgomery and Thompson—4.

So the rules were suspended, the bill read the second time by title, and passed to a third reading without further question.

Mr. Hall moved that the rules be suspended and senate bill No. 216 be read the third time and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Crook, Durham, Dustin, Fox, Furry, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Weed, Welch, Wilkins, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Butler, Gambee, Littig, McCoy, Miller, Minto, Montgomery, Shedd, Thompson, Tracy and Wright—11.

So the rules were suspended and senate bill No. 216 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCracken, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thompson, Weed, Welch, Wilkins, and Mr. Speaker—45.

Nays—None.

Absent—Messrs. Butler, Crook, Fox, Hall, Littig, McCall, McCoy, Miller, Minto, Montgomery, Myer, Reed, Thomas, Tracy and Wright—15.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Armstrong, the house returned to the second reading of senate bills.

SECOND READING OF SENATE BILLS.

Senate bill No. 222 coming on for second reading, was read the second time.

Mr. Merritt moved that the rules be suspended and the bill read the third time now and put on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Botkin, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Morey, Mulkey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins, and Mr. Speaker—46.

Nays—None.

Absent—Messrs. Barrett, Butler, Fox, Littig, McCoy, Miller, Minto, Montgomery, Myer, Paquet, Reed, Richey, Tracy and Wright—14.

So the rules were suspended and the bill read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Coleman, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins, and Mr. Speaker—47.

Nays—None.

Absent—Messrs. Blundell, Butler, Crook, Fox, Littig, McCoy, Miller, Minto, Montgomery, Myer, Reed, Tracy and Wright—13.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 215 coming on for second reading, Mr. Armstrong moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Butler, Littig, McCoy, Miller, Minto, Montgomery, Reed, Tracy, Welch and Wright—10.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Armstrong, the bill was refered to the Marion county delegation, with leave to report at any time.

Mr. Hall moved that the house return to the third reading of house bills.

Carried.

On motion of Mr. Hall, the house adjourned.

R. R. HAYS,
Chief clerk.

TUESDAY, FEBRUARY 17, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1891. }

The house was called to order at 9:30 o'clock A. M., Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Holmes, Littig, McCoy, Montgomery and Wright.

On motion of Mr. Stewart, the reading of the journal was dispensed with.

The house took up the regular order of business, being the third reading of house bills.

THIRD READING OF HOUSE BILLS.

House bill No. 192 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Fox, Gambee, Garfield, Hall, Hardy, Hartman, Henry, Holmes, Johnston, Killian, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, and Mr. Speaker—45.

Nays—Messrs. Coleman, Crook, Dustin, Furry, Hansard, Jennings, Lamson, Manning, Myer, Paquet, Stephenson and Wilkins—12.

Absent—Messrs. Littig, Montgomery and Wright—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The special committee consisting of the Wasco and Sherman county delegations, with leave to report at any time, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1891. }

Mr. Speaker:

Your special committee, to whom was referred house bill No. 237, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

That after the word "authorize," in line 16, page 2 of title, and all of lines 17 and 18, be stricken out.

AMENDMENT.

That in line 19, the words "to keep or" be stricken out, and the words "and board of water commissioners to" be substituted therefor.

AMENDMENT.

That on page 5, section 1, of enrolled bill, after the word "follows," in line 9, all the remaining page, together with pages 6 and 7 and to and including line 2, page 8, of said section 1, be stricken out, and the following be substituted therefor:

Two of said commissioners shall hold their said office until the first Monday of July, 1890, or until their successors are elected and qualified, and their successors shall hold their term of office for the term of three years thereafter; two of said commissioners shall hold their office until the first Monday in July, 1891, and until their successors are elected and qualified, and their successors shall hold their said office for the term of three years thereafter; and the remaining three commissioners shall hold their said office until the first Monday in July, 1892, and until their successors are elected and qualified, and their successors shall hold their said office for the term of three years thereafter; *provided, further*, that for the purpose of continuing said board of water commissioners a special election

shall be held in said city on the first Monday of July, 1890, and the first Monday of July in each year thereafter, at each of which said elections the same number of water commissioners then retiring shall be elected to fill such vacancy by such only of the qualified voters of said Dalles City who actually pay a property tax therein. And said elections to elect water commissioners as hereinbefore provided shall be held after the same notice and in the same manner as general elections are held in said Dalles City, except that such notice shall specify the number of water commissioners to be elected, and that only actual property taxpayers within Dalles City will be entitled to vote at such election; *and it is further provided*, that at the time of the confirming of the persons named in this act as the said board of water commissioners, said council shall determine by lot the two commissioners whose term of office shall expire on the first Monday of July, 1890, or when their successors are elected and qualified, and the two commissioners whose term of office shall expire on the first Monday of July, 1891, or when their successors are elected and qualified.

AMENDMENT.

That in section 2, line 9, the word "special" be substituted for the word "regular."

AMENDMENT.

That the three last lines of section 7, beginning with the word "net," be stricken out.

AMENDMENT.

That the following section be inserted at the close of section 10:
Section 11. That the title of said act, mentioned in section 1 of this act, be amended to include section 3, inadvertently omitted therefrom.

AMENDMENT.

That section No. "11" be changed to section No. "12."

G. W. JOHNSTON,
Chairman.

On motion of Mr. Johnston, the report and amendments were adopted.

House bill No. 189 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield,

Hall, Hansard, Hardy, Henry, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—Messrs. Hartman, Holmes, Paquet, Stephenson, Thompson and Tracy—6.

Absent—Messrs. Littig, Montgomery, Myer and Thomas—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House resolution No. 42, which was made a special order for this hour, coming on for consideration, Mr. Weed moved that further consideration of said resolution be indefinitely postponed.

Carried.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 147 with the following amendments herewith attached.

And the same are herewith returned to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. President:

Your committee on elections, to whom was referred house bill No. 147, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

At the end of line 3, section 1, strike out the word "annually."

AMENDMENT.

After the word "Multnomah," line 6, section 1, insert the word "Clatsop."

AMENDMENT.

In line 8, section 1, after the word "Klamath" insert the word "Columbia."

AMENDMENT.

In line 10, section 1, strike out the words "Columbia" and "Clatsop."

AMENDMENT.

Lines 11, 12, 13 and 14, page 2 of engrossed bill, strike out the following words: "In Columbia county on the first Monday in January, April, July, September and November."

H. E. CROSS,
Chairman.

On motion of Mr. Weed, the house concurred in the senate amendments to house bill No. 147.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has adopted senate concurrent resolution No. 12, relating to adjournment.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

SENATE CONCURRENT RESOLUTION NO. 12.

Resolved by the Senate, the House concurring:

That the sixteenth regular session of the legislature of the state of Oregon adjourn *sine die* on Friday, February 20, 1891, at 12 o'clock P. M.

On motion of Mr. Miller, the resolution was laid on the table.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 31 with the following amendment:

AMENDMENT.

Strike out the words "and if upon examination at the end of fifteen days from such notice," commencing on line 13 and ending on line 14, page 1, of printed bill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Snider moved that the house concur in the senate amendment.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the house amendments to senate bill No. 182.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house amendments to senate bill No. 131.

O. P. MILLER,
Chief clerk.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bills Nos. 48, 160, 184, house joint resolutions Nos. 10 and 11, and house joint memorial No. 12, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

Senate bill No. 162, being a special order for this hour, 10 A. M., said bill coming on for consideration, Mr. Hall moved that the further consideration of said bill be made a special order for 10 o'clock A. M. to-morrow.

Carried.

Mr. Hall moved that the house members of the joint committee appointed to confer with a similar committee from the state of Washington, as to the portage railway around the dalles and cascades of the Columbia, be authorized to make a report at any time before 10 o'clock A. M. to-morrow.

Mr. Gambee moved to amend by making the time 4 P. M.

The motion as amended carried.

Mr. Welch requested that a telegram be read from citizens of Astoria, urging the legislature to pass senate bill No. 162.

Granted.

House bill No. 75 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Paquet, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—49.

Nays—Mr. Thomas—1.

Absent—Messrs. Crook, Fox, Henry, Littig, Meussdorffer, Miller, Montgomery, Mulkey, Reed and Richey—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 295 was read the third time.

Mr. Gambee moved that the bill be laid on the table.

Carried.

House bill No. 301 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—51.

Nays—None.

Absent—Messrs. Crook, Durham, Fox, Lamson, Littig, Miller, Montgomery, Reed and Starr—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker announced that he was about to sign house bills Nos. 48, 160 and 184, house joint resolutions Nos. 10 and 11, and house joint memorial No. 12, and soon after stated he had so signed.

House bill No. 304 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Barrett, Botkin, Butler, Crook, Durham, Dustin, Fox, Garfield, Hall, Hardy, Holmes, Johnston, Lamson, Manning, McAlister, McCall, McCoy, McCracken, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Paquet, Reed, Richey, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—40.

Nays—Messrs. Armstrong, Blundell, Coleman, Furry, Gambee, Hansard, Hartman, Henry, Jennings, Killian, Leeper, Merritt, Minto, Myer, Mulkey, Shedd and Stephenson—17.

Absent—Messrs. Baker, Littig and Montgomery—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Thomas moved that unanimous consent be granted and the clerk authorized to insert the enacting clause in house bill No. 304.

Carried.

So the clerk inserted the enacting clause.

The committee on engrossed bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bills Nos. 8 and 178, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The committee on agriculture submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1891. }

Mr. Speaker:

Your committee on agriculture, to whom was referred house joint resolution No. 9, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN MINTO,
Chairman.

On motion of Mr. Minto, the report was adopted.

The speaker announced that he was about to sign house bills Nos. 8 and 178, and soon after stated that he had so signed.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 118 with the following amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1891. }

Mr. President:

Your committee, composed of the Multnomah senators, to whom was referred house bill No. 18, beg leave to report the following amendments to the same:

AMENDMENT.

Amend section 2, page 2, line 3 of printed bill, by striking out all of line 3 after "1891," and striking out all of line 4.

AMENDMENT.

Amend section 4, page 3, line 33 of printed bill, by adding thereto the words "and may change the numbers thereof."

AMENDMENT.

Amend section 6, page 3, line 1 of printed bill, by striking out the word "four" and inserting in lieu thereof the word "two."

AMENDMENT.

Amend section 7, page 3, line 1 of printed bill, by striking out the word "four" and inserting in lieu thereof the word "three."

AMENDMENT.

Amend section 8, page 3, by striking out of first line of printed bill the words "or appointed"; and by inserting on second line of same section and page, after the word "attorney," the words "police judge"; and after the words "street superintendent," the words "overseer of the street-cleaning department"; and in the third line of same section, after the word "treasurer," the words "auditor, attorney, police judge"; strike out the word "and" after the word "assessor"; and after the words "street superintendent" insert the words "overseer of the street-cleaning department and surveyor"; and strike out the word "four" and insert the word "three."

AMENDMENT.

Strike out all of line 5, same section and page, after the word

"qualified," and lines 6, 7, 8 and 9 of section 8, page 3 of printed bill.

AMENDMENT.

Strike out of line 2, section 11, page 4 of printed bill, the word "biennially," and insert in lieu thereof the word "annually."

AMENDMENT.

Insert after the word "mayor," in line 1, section 12, page 4 of printed bill, the words "police judge, auditor, attorney," and after the words "street superintendent," in same line, section and page of printed bill, the words "overseer of the street-cleaning department and surveyor."

AMENDMENT.

Insert in section 16, page 4, line 1 of printed bill, after the word "treasurer," the words "police judge, attorney, auditor, overseer of the street-cleaning department and surveyor."

AMENDMENT.

Strike out of section 27, page 6, line 3 of printed bill, the words "fire commissioner, police commissioner."

AMENDMENT.

Insert in section 28, subdivision 2, page 7, line 8 of printed bill, after the word "treasurer" the words "police judge, auditor, attorney, overseer of the street-cleaning department and surveyor."

AMENDMENT.

Strike out of section 37, page 8, subdivisions 1 and 2, lines 2, 3, 4, 5, 6, 7, 8 and 9 of printed bill, and insert in lieu thereof, the following:

Subdivision 1. To assess, levy, and collect taxes for general municipal purposes, not to exceed three mills on the dollar, upon all property, both real and personal, which is taxable by law for state or county purposes.

Subdivision 2. To levy and collect a special tax of $3\frac{1}{2}$ mills on the dollar upon all the property assessed by authority of the first subdivision of this section, for the purpose of running, conducting, and maintaining the fire department of said city, which shall be known and designated as the "fire department fund," which fund shall not be used or expended for any other purpose; and to levy

and collect a special tax of $3\frac{1}{2}$ mills on the dollar upon all property assessed by authority of the first subdivision of this section, for the purpose of running, conducting, and maintaining the police department of said city, which shall be known and designated as the "police department fund," which fund shall not be used or expended for any other purpose.

The estimated amount required to pay the salaries of the officers and employes of said department, respectively, for the current year, shall, at the beginning of each year, be appropriated and set apart from said funds, respectively, for that purpose, and shall not be used or expended for any other purpose; and all debts contracted and all liabilities incurred by either of said departments in excess of said amounts so levied and collected for said funds, respectively, shall be null and void, unless the common council shall, in case of great emergency, authorize the "board of police commissioners" or "board of fire commissioners," as the case may be, to incur the same.

AMENDMENT.

Strike out section 61, lines 1 and 2, page 19 of printed bill, all of the same to and including the word "who," and insert in lieu thereof the words "the police judge." In line 3 strike the letter "s" from the word "officers," and the word "who," and insert the word "he." In line 4 strike out the words "such judge" and insert the word "he."

AMENDMENT.

Strike out section 62, page 19, lines 1 and 2 of printed bill, and insert in lieu thereof the following:

Section 62. The police judge shall qualify on or before the first Monday in July succeeding his election, and shall hold his office until his successor is elected and qualified.

AMENDMENT.

Strike out of section 72, page 21, the last word of line 3 and lines 4, 5, 6, 7 and 8 of printed bill, to the word "qualified," and insert in lieu thereof the following:

The police commissioners now in office shall hold their respective offices until their successors are elected and qualified. Such commissioners now in office shall, as soon as practicable after this act goes into effect, allot themselves into three classes, so that the term of one of said police commissioners shall expire on the first Monday in July, 1891, the term of one of said police commissioner shall expire on the first Monday in July, 1892, and the term of one

police commissioner shall expire on the first Monday in July, 1893; such allotment to be entered upon the record of said board of police commissioners; and the result thereof shall be certified to the common council by the clerk of said board; and commencing with the general election to be held in said city of Portland on the third Monday in June, 1891, and annually thereafter, there shall be elected one police commissioner to serve for the term of three years, and until his successor is elected and qualified.

AMENDMENT.

Strike out of section 72, page 21, line 13 of printed bill, the word "appointment" and insert the word "election," and strike out the word "such" and insert the word "an."

AMENDMENT.

Strike out of section 72, page 22, lines 19 and 20 of printed bill, and insert in lieu thereof the following:

The board may appoint some suitable person to act as clerk of the board of police commissioners, who shall keep a record of its proceedings, and shall have the custody of the books, records, and proceedings of said board, and shall perform such other duties as may be assigned him by the board. Such clerk shall receive a salary not exceeding \$100 a month, to be fixed by the board. Such clerk shall, before entering upon his duties, take the oath required of the city officers; and until the appointment of such clerk by the board, the auditor and clerk of said city of Portland shall act as clerk of said board and perform the same duties. The clerk of the board, or the city auditor acting as such, shall certify to the common council the names of the persons appointed to office by said board. The board of.

AMENDMENT.

Insert in subdivision 1 of section 72, page 22, line 23 of printed bill, after the word "police," the words "detectives, clerks."

AMENDMENT.

Insert in section 73, page 22 of printed bill, line 4, after the word "police," the words "detectives, clerks."

AMENDMENT.

Strike out of section 73, page 23, lines 11, 12 and 13, and the words "such estimate" from line 14 of printed bill."

AMENDMENT.

Insert in section 74, page 23, line 3 of printed bill, after the word "hundred," the words "and twenty-five," and after the word "each" the words "detectives one hundred dollars per month."

AMENDMENT.

Insert in section 76, page 23, line 1 of printed bill, after the word "police" the word "detective."

AMENDMENT.

Insert in section 77, page 23, line 1 of printed bill, after the word "captains" the words "detectives, clerks."

AMENDMENT.

Strike out section 122, page 36, lines 1 to 16, both inclusive, and section 123, page 37, lines 1, 2 and 3 of printed bill, and insert the following:

Section 122. The council is authorized to repair any street or part thereof whenever it deems expedient, and to declare by ordinance before doing the same whether the cost thereof shall be assessed upon adjacent property or be paid out of the general fund of the city.

Section 123. If the council declares that a proposed repair shall be made at the cost of the adjacent property, thereafter the proposed repair is to be deemed an "improvement," and shall be made accordingly; but if it declares that the cost of the same shall be paid out of the general fund, such repairs may be made as the ordinance may provide, and be paid for accordingly.

AMENDMENT.

Strike out of section 144, page 40, line 4 of printed bill, the name "F. C. Smith," and insert in lieu thereof the name of "Geo. P. Frank," and add to line 8, after the word "committee," the following: *Provided, however,* that if this act shall be rejected by the city of East Portland, C. H. Rafferty, named in this section as a member of the water committee, shall thereupon cease to be a member of said water committee, and this section shall stand as if the name of C. H. Rafferty had not been mentioned therein; *and provided further,* that if this act shall be rejected by the city of Albina, C. H. Hill, named in this section as a member of the water committee, shall thereupon

cease to be a member of said water committee, and this section shall thereupon stand as if the name of said C. H. Hill had not been mentioned therein.

AMENDMENT.

Amend section 155, page 42 of printed bill, by adding thereto the following: and during construction of such water works, and until delivery thereof, said committee shall have power and authority conferred on said commission by the provisions of this act.

AMENDMENT.

Insert in section 162, page 44, line 1 of printed bill, after the words "expiration of," the word "five."

AMENDMENT.

Strike out of section 167, page 45, line 5 of printed bill, the word "appointed," and insert in lieu thereof the word "elected."

AMENDMENT.

Strike out all of section 168, page 45, lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15, page 46 of printed bill, and insert in lieu thereof the following:

Section 168. There shall be elected on the third Monday in June, 1891, and at the general election to be held annually thereafter, one fire commissioner, who shall hold his office for the term of three years, and until after his successor is elected and qualified. The fire commissioners shall take the oath required of other city officers. The fire commissioners now in office shall, at the first meeting of the board after this act goes into effect, allot themselves into three classes—the term of one of said fire commissioners to expire on the first Monday in July, 1891, the term of one of said fire commissioners to expire on the first Monday in July, 1892, and the term of one of said fire commissioners to expire on the first Monday in July, 1893, such allotment of terms by the fire commissioners now in office to be entered upon the record of said board, and the result thereof certified to the common council by the clerk of said board. The term of office of fire commissioner shall commence on the first Monday in July succeeding the general election at which such fire commissioner is elected.

AMENDMENT.

Strike out of section 186, page 52, line 2 of printed bill, the word

"therefore" and the word "two," and insert in lieu thereof the word "one," and strike out the word "four" and insert in lieu thereof the word "two."

AMENDMENT.

Strike out of section 189, page 53, line 3 of printed bill, the figures "750,000," and insert in lieu thereof the figures "500,000."

AMENDMENT.

Insert in section 189, page 53, line 4 of printed bill, after the words "city hall" the following: In addition to the \$175,000 heretofore authorized for that purpose.

AMENDMENT.

Strike out of section 189, page 53, line 4 of printed bill, the figures "3,500,000" and insert the following: 2,500,000 heretofore authorized for that purpose.

AMENDMENT.

Insert at the end of section 190, on page 53 of printed bill, and make it a part of said section the following: Said city is hereby authorized and empowered to construct and maintain bridges across the Willamette river at any points within the limits of said city not already occupied by bridges or ferry lines, with such suitable draws, openings as said city may deem proper; and it shall have power to purchase or lease any bridge or bridges already existing across said river within said city limits. Nothing contained in the act entitled "An act to establish and incorporate the port of Portland, and to provide for the improvement of the Willamette and Columbia rivers in said port and between said port and the sea," shall operate to prevent the exercise by the city of Portland of the power herein conferred to construct and maintain bridges across the Willamette river.

AMENDMENT.

Insert after section 194, page 54, line 6 of printed bill, the following sections:

Section 195. Henry Failing, L. Fleischner, Wm. M. Ladd, Donald Macleay, L. Therkelson, A. H. Breyman, and J. J. Fisher, of the city of Portland, are hereby appointed commissioners of the new city hall for the city of Portland, and they and their successors in office are hereby authorized to act as the board of new city hall commissioners for the said city of Portland; and the said board are hereby

authorized, empowered, and directed to take possession of the premises heretofore purchased by said city for a new city hall, and which is bounded by Fourth street on the east, Jefferson street on the south, Fifth street on the west, and Madison street on the north, in said city of Portland, and the improvements thereon and everything appertaining thereto, and to proceed with the construction of the building on said premises, known as the new city hall, according to the plans heretofore adopted by the common council of the said city of Portland, or as may hereafter be modified by the said board; and the said common council of the city of Portland are hereby authorized, empowered, and directed to turn over and deliver to the board of new city hall commissioners, all and singular, the site, superstructure, books, papers, plans, specifications, contracts, rights, privileges, and property of every description and nature belonging to the same or connected therewith; *provided, however*, that if this act shall be rejected by the city of East Portland, A. H. Breyman, named in this section as a member of the new city hall commission, shall thereupon cease to be a member of said new city hall commission, and this section shall thereupon stand as if the name of said A. H. Breyman had not been mentioned therein; *and further provided*, that if this act shall be rejected by the city of Albina, J. J. Fisher, named in this section as a member of the new city hall commission, shall thereupon cease to be a member of said new city hall commission, and this section shall thereupon stand as if the name of said J. J. Fisher had not been mentioned therein.

Section 196. Before entering upon the discharge of their duties, the commissioners shall take and subscribe an oath of office before some officer authorized to administer the same, to the same effect as is required of other city officers, and shall file the same with the auditor and clerk of the city of Portland.

Section 197. As soon as said commissioners shall have qualified by taking and filing the oath required by the preceding section, they shall proceed to organize by electing one of their number chairman. The board shall also appoint a clerk, who shall be called the clerk of the board of new city hall commissioners and shall hold office during the pleasure of the board. The clerk before entering upon his duties shall take the oath required of city officers, and file the same with the auditor and clerk of the city of Portland. The board may also require the clerk to execute a bond in such sum as it may deem best, for the faithful discharge of his duties, which bond shall also be filed with the auditor and clerk of said city of Portland.

Section 198. As soon after the organization of the board as the commissioners may deem expedient, they shall proceed to appoint an architect and superintendent of works, who shall hold their

respective offices at the pleasure of the board, and shall perform such duties as are usually incident to such positions, and such other duties as may be assigned them by the board.

Section 199. The commissioners may fill any vacancy that may occur in that body by death, resignation, removal from the city or otherwise, by the appointment of a person to be a member thereof who is a bona fide resident and taxpayer of said city, and who shall take and file the oath prescribed in section 196 of this act.

Section 200. The chairman of this commission, if present, shall preside at all the meetings thereof; and in case of absence, the commission may appoint from their number a chairman for the time being. A majority of said board shall constitute a quorum, and the assent of a majority of the board shall be required to validate any transaction or business by the board.

Section 201. The chairman of the commission shall execute all written contracts on behalf thereof, and sign all orders for the payment of money authorized thereby.

Section 202. The clerk of the commission is its clerical officer, and he shall make and keep a fair minute of its acts and doings, countersign all orders authorized by it and signed by the chairman for the payment of money, and attest all written contracts signed by the chairman on its behalf, keep its accounts, and have the custody of its books and papers.

Section 203. The chairman and clerk aforesaid shall also do and perform all such acts or duties as may be required of them, or either of them, by the commission or this act, and they, and each of them, shall hold their offices at the pleasure of the commission; and the clerk shall receive such compensation as the commission may from time to time direct to prescribe. The commissioners shall not be entitled to receive any compensation for their services.

Section 204. The commission shall meet in the city of Portland for the transaction of business, at least once a month, at such hour and place as it may direct, and at such other times as it may provide.

Section 205. The commission may also from time to time employ and discharge such other agents, workmen, laborers, employes and servants at such compensation or wages as it may deem necessary and convenient for the erection and completion of said new city hall and for the accomplishment of the purpose of this act.

Section 206. For the purpose of carrying the provisions of this act into effect, the board of new city hall commissioners is authorized to issue and dispose of the bonds of the said city of Portland of the denomination of from \$100 to \$1,000, as the purchaser may desire, with interest coupons attached thereto, the par value of which

shall not exceed the sum of \$500,000 (five hundred thousand dollars), signed by the chairman and countersigned by the clerk, whereby the city of Portland shall be held and considered in substance and effect to undertake and promise, in consideration of the premises, to pay to the bearer of each of the said bonds, at the expiration of thirty (30) years from the date thereof, the sum named therein in gold coin of the United States, together with interest thereon at the rate of five per centum per annum, payable half yearly, as provided in said coupons.

Section 207. All moneys received from the sale of said bonds, including premiums thereon, as well as from all other sources, shall be deposited with the treasurer of the said city of Portland, who shall keep the same separate and apart from the other funds of the city and subject to the order of said commissioners, and shall pay out said funds, which shall be called the new city hall fund, on the order of the chairman of the commission, countersigned by the clerk thereof, and to the holder of any overdue interest coupon of the bonds aforesaid, upon the presentation and surrender thereof, and not otherwise. The treasurer shall report to said commissioners the condition of said fund whenever called upon to do so.

Section 208. The moneys heretofore realized from the sale of the \$175,000 (one hundred and seventy-five thousand dollars) city hall bonds, issued under the provisions of section 149 of the city charter of Portland, shall also form part of the fund mentioned in section 206 of this act, and shall be paid out and used only by said commission upon orders signed by the chairman of the commission and countersigned by the clerk, as in said section 206 provided. The common council of the city of Portland shall forthwith cause said fund to be transferred to the new city hall fund, and the same shall thereupon be subject only to the control of said commission.

Section 209. The commission shall cause a quarterly statement in detail of its receipts and disbursements to be made and signed by its chairman and clerk, and filed with the auditor and clerk of the city of Portland, who shall preserve the same among the files of his office and shall cause the same to be published in some paper published in the city of Portland, and the commission shall cause to be so made, filed and published as a part of its last quarterly report in each year an inventory or statement of the property, implements and material in its possession or control pertaining to the new city hall, together with the condition and approximate value thereof, and such other matters and things as go to show the condition of the fund and its management, and the progress that has been made in the construction of said city hall, together with a list of all contracts that have been awarded under the provisions of this act.

Section 210. When the said new city hall shall be completed, the said commissioners shall designate and assign to the common council and to each officer and department of the city government, such part or parts thereof as each shall occupy, and as the same have been designed and constructed.

Section 211. Upon completion of said new city hall, and when all bills, accounts and contracts therewith shall be paid and discharged, the said commissioners shall transfer to the general fund of the city of Portland whatever funds there remains subject to their control, and shall deliver to the auditor and clerk of said city the record of their proceedings, and all plans, specifications, documents and vouchers connected with their duties, in their possession or under their control, there to be preserved among the records of his office, and shall also formally turn over and deliver the possession of said new city hall to the mayor and common council of said city.

AMENDMENT.

Insert after the word "corporations," in line 16, page 55, of section 196 of printed bill, the following: "and such further contracts with said water company as said city of East Portland may have authorized or entered into at any time prior to its consolidation with Portland."

AMENDMENT.

Strike out of section 196, page 55, line 24 of printed bill, the words "and the city of," and all of lines 25, 26, 27 and 28.

AMENDMENT.

Strike out of section 197, page 56, line 12 of the printed bill, the words "now pending."

AMENDMENT.

Strike out of section 198, page 56, line 6 of printed bill, the word "elected," and insert in lieu thereof the words "now in office"; and line 10 all of the words after "1891," and all of lines 11, 12 and 13 down to and including the word "time"; and out of line 14 the word "two," and insert in lieu thereof the word "one"; and out of line 15 the word "four," and insert in lieu thereof the word "two"; and out of line 16 the word "four," and insert in lieu thereof the word "two."

AMENDMENT.

Insert after the word "act," in line 29, section 200, page 58 of

printed bill, the following: and the act incorporating such city now in force shall remain in full force and effect.

AMENDMENT.

Change the numbers of printed bill sections 195, 196, 197, 198, 199 and 200, on pages 54, 55, 56, 57 and 58, to read 212, 213, 214, 215, 216 and 217.

Mr. Hall moved that house bill No. 118, with the senate amendments, be referred to the Multnomah county delegation, with leave to report at any time.

Mr. Holmes moved to adjourn.

Carried.

R. R. HAYS,
Chief clerk.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1891.

The house was called to order at 1:30 o'clock P. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Baker, Barnes, Coleman, Hall, Hansard, Hartman, Johnston, Littig, Montgomery, Moor of Benton, Paquet and Stephenson.

Mr. Armstrong moved to amend Mr. Hall's motion, by instructing the Multnomah delegation to report house bill No. 118 at 8 o'clock P. M. to-night.

Mr. Jennings moved to amend the amendment, by making the time 10 o'clock to-morrow.

Carried.

Mr. Armstrong accepted the amendment to his amendment.

Mr. Hall accepted the amendment to his motion.

The question recurred on the original motion as amended.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barrett, Blundell, Botkin, Butler, Coleman, Fox, Garfield, Hall, Hansard, Jennings, Johnston, Lamson, Manning, Morey, Reed, Richey, Snider, Starr, Stewart, Story, Welch and Wilkins—23.

Nays—Messrs. Barnes, Crook, Durham, Dustin, Furry, Gambee,

Hardy, Hartman, Henry, Holmes, Killian, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Shedd, Stephenson, Stillwell, Thomas, Thompson, Tracy, Weed, and Mr. Speaker—32.

Absent—Messrs. Baker, Littig, Montgomery, Paquet and Wright—5.

So the motion failed.

Moved that the house return to the previous question.

Carried.

Mr. Thomas moved that the house concur in all the senate amendments to house bill No. 118 except that part relating to the city hall commission.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Gambee, Hansard, Hardy, Hartman, Holmes, Johnston, Killian, Lamson, Leeper, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Richey, Snider, Starr, Stephenson, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, and Mr. Speaker—43.

Nays—Messrs. Fox, Furry, Garfield, Hall, Henry, Jennings, Littig, Manning, McAlister, Morey, Reed, Stewart, Story, Wilkins and Wright—15.

Absent—Messrs. Montgomery and Shedd—2.

So the house concurred in the motion stated.

Mr. McCracken moved that the house concur in the senate amendments to house bill No. 118 relating to the city hall commissioners.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Botkin, Butler, Coleman, Crook, Durham, Dustin, Gambee, Hardy, Hartman, Henry, Holmes, Killian, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Myer, Mulkey, Paquet, Shedd, Stephenson and Tracy—25.

Nays—Messrs. Baker, Barnes, Barrett, Blundell, Fox, Furry, Garfield, Hall, Hansard, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McAlister, Miller, Moor of Benton, Moore of Washington, Morey, Reed, Richey, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—34.

Absent—Mr. Montgomery—1.

So the house refused to concur in the city hall amendments.

The committee on engrossed bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bill No. 237, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

The committee on mining submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 16, 1891. }

Mr. Speaker:

Your committee on mining, to whom was referred house bill No. 21, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

That immediately after the title of the bill there be inserted, "Be it enacted by the legislative assembly of the state of Oregon."

AMENDMENT.

In section 2, line 5 of the printed bill, strike out the word "three" and insert "two," making it read two thousand dollars per annum.

AMENDMENT.

In section 2, after the last word, add "consisting of the governor, secretary of state, and state treasurer, as ex-officio members of said board."

AMENDMENT.

In section 10, line 1 of the printed bill, strike out the word "six" and insert "four," making it read four thousand dollars.

AMENDMENT.

Line 1, strike out the words "four thousand" and insert "three thousand five hundred," making it read three thousand five hundred dollars.

J. A. WRIGHT,
Chairman.

On motion of Mr. Wright, the report with amendments was adopted.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 96, with the following amendments herewith attached.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

AMENDMENT.

The county of Sherman, within one year after this act takes effect, shall assume and pay to the county of Wasco such a pro rata proportion of the indebtedness of Wasco county as the assessed valuation of the property within the territory by this act annexed bears to the total assessed valuation of the property in Wasco county after deducting therefrom the value of the public property of Wasco county. The county judges of Wasco and Sherman counties are hereby appointed a board to determine the value of such property, and the amount of indebtedness to be assumed by the said Sherman county. Said judges shall meet at the county seat of Wasco county on such day as they may name before July 1, 1891, and proceed with said work, and when completed file a report of their conclusions in duplicate with the county clerks of Wasco and Sherman counties. In case of a disagreement between the said county judges in their conclusions, they shall call to their assistance the circuit judge of the seventh judicial district, whose duty it shall be to assist in determining as to what is just and equitable between said counties, and shall have the casting vote in case of a tie vote between said county judges.

Section 3. At the next general election held in Sherman county all legal voters within said county, as hereby amended, shall be entitled to vote on permanent location of county seat.

Section 4. All acts or parts of acts in conflict with this act are hereby repealed.

On motion of Mr. McCoy, the house concurred in the amendments.

On motion, the clerk was instructed to insert the enacting clause in house bill No. 96.

So the clause was inserted.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bill No. 142.

And the same are herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bill No. 102.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 21, a bill for an act to regulate the practice of pharmacy and the sale of poisons in the state of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 223, a bill for an act to punish minors over the age of sixteen years for obtaining or attempting to obtain intoxicating liquors under false pretenses.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

House bill No. 9 was read the third time.

On motion of Mr. Killian, the same was referred to the committee on agriculture, with leave to report at any time.

House bill No. 170 coming on for third reading, Mr. Barnes moved that the bill be indefinitely postponed.

Carried.

House bill No. 150 coming on for third reading, Mr. Welch moved that it be indefinitely postponed.

Carried.

House bill No. 240 coming on for third reading, Mr. Holmes asked unanimous consent to withdraw the bill.

Granted.

A special committee appointed by the chair, with leave to report at any time, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1891. }

Mr. Speaker:

Your special committee, to whom was referred house bill No. 278, beg leave to report that they have had the same under consid-

eration, and would respectfully report it back to the house with the recommendation that it do pass.

E. W. BARNES,
Chairman.
JOHN MINTO.

On motion of Mr. Minto, the report was adopted.

House bill No. 158 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hartman, Jennings, Johnston, Killian, Leeper, Manning, McCall, McCoy, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—46.

Nays—Messrs. Holmes and Stephenson—2.

Absent—Messrs. Crook, Hall, Hardy, Henry, Lamson, Littig, McAlister, Meussdorffer, Miller, Montgomery, Morey and Myer—12.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Reed moved a call of the house.

Carried.

The clerk called the roll.

Those present were:

Messrs. Armstrong, Baker, Barnes, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Henry, Jennings, Johnston, Killian, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—47.

Absent—Messrs. Barrett, Hardy, Hartman, Holmes, Lamson, Littig, McCoy, Meussdorffer, Miller, Montgomery, Stewart, Story and Wright—13.

The sergeant-at-arms returned in a short time with the absent members.

On motion, a further call of the house was dispensed with.

House bill No. 151 was read the third third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Cole-

man, Durham, Fox, Furry, Jennings, McCall, Merritt, Meussdorffer, Minto, Moor of Benton, Morey, Shedd, Snider, Stewart, Thomas, Thompson, Weed and Wilkins—24.

Nays—Messrs. Butler, Dustin, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCracken, Moore of Washington, Mulkey, Myer, Paquet, Reed, Richey, Starr, Stephenson, Stillwell, Tracy, Welch, Wright, and Mr. Speaker—29.

Absent—Messrs. Crook, Holmes, Littig, McCoy, Miller, Montgomery and Story—7.

So the bill failed to pass.

House bill No. 86 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Dustin, Furry, Hardy, Hartman, Holmes, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Starr, Stewart, Stillwell, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—39.

Nays—Messrs. Armstrong, Coleman, Crook, Gambee, Garfield, Hansard, Henry, Jennings, Merritt, Miller, Shedd, Stephenson and Weed—13.

Absent—Messrs. Fox, Hall, Littig, McCracken, Montgomery, Snider, Story and Thomas—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bills Nos. 31 and 147, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The committee on part of the house, under senate joint resolution No. 1, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 17, 1891. }

Mr. Speaker :

Your committee appointed on part of the house according to senate joint resolution No. 1, beg leave to report that we proceeded to the city of Portland and met the delegation from the state of Washington, conferred with them upon the proposition of opening the Columbia river to free navigation, and herewith hand you the full proceedings of said conference.

E. O. McCOY,
 Chairman.

H. B. MILLER,
 J. F. HENRY.

The joint committee of Oregon and Washington, appointed in concurrence with senate joint resolution No. 1, assembled in the parlors of "The Portland," in the city of Portland, on Friday, February 13, at 7:30 P. M.

On motion of Senator Smith of Washington, Senator Watkins was elected chairman.

On motion of Senator Smith, the clerks of each legislative committee were invited to participate fully in all the proceedings.

Senator Sharpstein raised the legal question as to the right of any state to expend any portion of an appropriation outside of its own jurisdiction.

Capt. J. H. D. Gray, G. Wingate, of Astoria, and Martin Ford, of the same place; also Mr. Geo. T. Myers, of Portland, members of waterway convention, were invited to present their views to the committee.

Capt. J. H. D. Gray spoke at length on the subject of transfer boats, followed by Mr. G. Wingate, on the same topic.

Figures as to the probable cost were submitted as follows:

Transfer boats (to hold 30 cars) -----	\$120,000
Portage railway at Celilo -----	300,000
Portage railway at Cascades -----	120,000
Wharf boats and inclines -----	100,000
Rolling stock -----	85,000
Total -----	\$725,000

Captain Gray said with reference to the proposed portage railway around the da les, that the appropriation of \$400,000 would be prac-

tically lost without transfer boats, as the cost of handling and wastage would be so great as to shrink the value of the transported wheat as to make it impossible to compete with existing freight rates.

Wheat, he said, will handle five or six times very well; beyond that the loss doubles in geometrical progression at each handling. He did not desire to be understood as saying that the \$60,000 already appropriated at the Cascades is valueless, as that will relieve all of the country tributary to The Dalles city in handling wheat, wool, and other products.

Captain J. T. Gray (brother of above) stated that the river had been improved below the locks. The captain of the Lurline would not like to take a load on the Lurline through the locks at low water, nor more than 100 tons of freight to the locks. If the canal were furnished from good water, it would double the present cost. A dyke could be built to raise the water above the present obstructions. He could reach the lower end of the locks from the lower river with a fair load from March 15th to June 1st, and from July 20th to December 1st with a very slight improvement. The Lurline is first-class, and 300-horse power. The R. R. Thompson has twice the power. The trouble is in the first rapids below the locks.

Representative Sharpstein was of the opinion that Washington could not jointly with Oregon expend any money for the construction of a railway.

The judiciary committee of his body had expressed to Senator Forsythe the opinion (as a constitutional proposition) that the two states could not jointly build any railway. If Oregon sees fit to appropriate sufficient money to build half the road, with a proviso that none of the appropriation be expended until an equal sum shall be raised by the citizens of Washington, Representative Sharpstein was of the opinion that it could readily be done.

Representative Miller desired to know how Oregon would be represented if the road could be more easily built in Washington than in Oregon.

Representative Sharpstein believed that the state of Washington could confer upon the state of Oregon the right to acquire property in Washington, but not that of eminent domain.

On motion of Representative Miller, a committee of three, consisting of Representative Berry, Representative Sharpstein and Captain P. B. Johnson, special clerk, was appointed to report at the morning session on the legal rights and authority vested by the constitution in the state of Washington as to her right to build and maintain a railway either in her own right or conjointly with the state of Oregon.

Adjourned.

Committee re-convened Saturday morning, February 14, at 10:30.

Senator Forsythe was excused for sickness, and Senator Smith, by Senator Forsythe's request, empowered to cast his vote.

Major Handbury, of the engineer corps, U. S. A., in charge of Cascade locks, proceeded by invitation to give the committee information as to cost of portage railway; also as to the depth and condition of water at the foot of the Cascade locks. Major Handbury said that in 1888 a bill was passed in Washington asking congress to appoint a board of officers to investigate and report as to canal and lock, also to portage railway, single and double tracks, at the dalles of the Columbia. Major Handbury was appointed such officer, and Major Jones was also appointed to report as to a boat railway.

Major Handbury reported as follows: "For single track on Washington side 11.14 miles, \$431,500; double track, \$614,000;—either to be completed in one year; single incline with capacity for 800 tons of freight in ten hours or 1,600 tons if run at night.

"The survey on the Oregon side was commenced but found so much more costly that it was abandoned. Steamboats can reach the foot of the locks without any difficulty at any stage of water at which the locks can operate.

"Government steamer Cascades has gone there at 20 feet of water above low-water mark, towing the large and heavy boulder barge.

"When locks were contemplated, at first, the original plan was to crib and dyke to Bradford's island, but subsequently it was decided to remove obstructions in the channel, which has been done.

"Locks contemplate locking through at a 20-foot stage. High and low-water marks below canal differ about 45 feet, somewhat less below. High water runs from latter part of May to July. Locks were placed on Oregon side because of 150-foot hill and lack of water for feeders on Washington side."

Unofficially Major Handbury stated that there will be no difficulty in passing freight over portage at the Cascades. He believes that the government will build and operate a three-foot gauge road if the people will handle freight and furnish wharf boats and inclines, as the government would be favored by the construction of such road. It will require three years to complete locks and \$1,745,500 in appropriations, additional to those made.

He thinks it would be fatal to the work to turn it over to contractors. The locks are 460 feet long and 90 feet wide. The average estimated amount for each year since 1876, necessary to do good work, has been \$600,000. The average actual appropriation has been \$134,000, or 22½ per cent of the needed amount. The government has paid in interest, compounded at 4 per cent, \$687,280 already. There has never been any tearing down or retrogression.

A resolution of thanks to Major Handbury, and of full confidence in the manner of construction, offered by Judge Moore, was passed.

The committee on legal authority reported:

[Report attached and marked exhibit A.]

To the Honorable, the Joint Committee of the Oregon and Washington Legislatures:

GENTLEMEN: We, your committee appointed to report in regard to the authority which the state of Washington may exercise, and the rights it may confer on the state of Oregon in regard to the construction of railroads within the state of Washington, respectfully submit the following:

First—The state of Washington cannot, in our opinion, confer on the state of Oregon the right to exercise within the former the right of eminent domain.

Second—The state of Washington cannot pass any special law for operating any general highway within the state unless the same extends into more than one county, and, as at present advised, your committee construe the term highway to include a railroad.

Third—The state of Washington cannot lawfully appropriate any money to be expended in internal improvements beyond her jurisdiction. The state of Washington cannot lawfully become jointly associated with the state of Oregon, or a commission, or association, created by Oregon, or otherwise, in the construction of a railroad, and cannot loan or extend its credit thereto.

In conclusion, we would say that we think we are justified in saying that the people of Washington would gladly join or become associated with Oregon in any practical enterprise having for its object the relief of the present situation. In our judgment, however, Washington as a state can only engage in the construction of a railroad extending into more than one county, and this road could be, and could only lawfully be, owned exclusively by the state.

Respectfully submitted,

JOHN L. SHARPSTEIN,
P. E. BERRY,
P. B. JOHNSON,
Sub-committee.

February 14, 1891.

Report accepted.

Adjourned.

AFTERNOON SESSION.

Committee met at 2 P. M.

The question of a joint memorial to congress discussed, and Senator Moore moved that the Oregon committee present to the Oregon

legislature for adoption house concurrent resolution hereunto annexed and marked exhibit "B" as read before the committee.

Carried.

Captain W. P. Gray said he had made with Mr. Sales (an engineer) a close examination of the river at Celilo, The Dalles, Upper and Lower Cascades and Bonneville as to inclines and so forth, and favored a line of transfer boats; also advocated strongly laws compelling existing lines to furnish trackage to new corporations.

Mr. Sales furnished the committee with figures as to cost of improvements at The Dalles.

It was agreed by and between the two committees that each ask its own legislature for assistance to build transfer boats, inclines, etc., provided congress will build the portage railways.

On motion of Representatives Miller and Sharpstein, each committee voted its thanks to the other for mutual courtesies interchanged.

Adjourned at 4:30 *sine die*.

Mr. Merritt moved that the report be adopted and referred to the committee on railways and transportation.

Carried.

Mr. McCoy introduced house concurrent resolution No. 24.

HOUSE CONCURRENT RESOLUTION NO. 24.

[Exhibit "B."]

Whereas this legislative assembly, by senate joint memorial No. 2, has asked congress to pass a bill introduced by Senator Mitchell providing for a boat railway at the dalles of the Columbia river; and

Whereas it is the sense of this assembly that the construction of such boat railway would furnish the proper permanent improvement sufficient for the commerce of the vast empire whose natural outlet is the Columbia river; and

Whereas several years must elapse before such boat railway can be completed so as to furnish adequate facilities for the commerce of that region; and

Whereas the one railway line upon which the products of that immense territory must be transported to market is wholly inadequate to the present needs of the producers, who have already suffered great losses from the lack of adequate transportation facilities for their crops, and who are subject to the payment of excessive rates for such transportation; and

Whereas it is important to the interests of the people of the states of Oregon, Washington, and Idaho that some immediate measure of relief be provided until the necessary permanent improvement of the Columbia river by boat railway shall have been completed; and

Whereas the state of Oregon has made an appropriation for a partial measure of relief, providing for the construction of a portage railway at the cascades of the Columbia; and

Whereas the state of Oregon is unable to pay the expenses of this national improvement for the benefit of the commerce of three states; and

Whereas such portage railway would annually save to the producers of said states more than the entire cost of construction, and would be an economical means of transporting material for the construction of said boat railway; now, therefore, be it

Resolved by the House, the Senate concurring :

That our senators and representative in congress be requested to present to the congress of the United States the appeal of the people of the state of Oregon for a sufficient appropriation at this term of congress for the construction of a portage railway at the dalles of the Columbia, to be maintained until the completion of the permanent improvement above mentioned; and be it

Further resolved, That our delegation in congress be requested to use their utmost efforts to secure at the present session of congress an appropriation for such portage railway, and a further appropriation for such permanent improvement by means of a boat railway.

Mr. McCoy moved that the resolution be adopted.

Carried.

The speaker announced that he was about to sign house bills Nos. 31 and 147, and soon after stated that he had so signed.

The committee on education submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 15, 1891. }

Mr. Speaker :

Your committee on education, to whom was referred senate bill No. 30, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass by adding the following:

AMENDMENT.

Section 5. That section 11 of the aforesaid act be and the same is hereby amended so as to read as follows:

Sec. 11. Any itinerant vender of any drug, nostrum, medicine, ointment, or appliance of any kind intended for the treatment of

disease or injury, who shall by writing, or printing, or any other method, publicly profess to cure or treat diseases, injuries, deformities, or ailments of any kind by any drug, nostrum, medicine, or other application, shall pay to the secretary of state a license of one hundred dollars per month, to be collected by said secretary of state, or by his lawfully authorized attorney. Any person who shall violate the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed five hundred dollars, or by imprisonment in the county jail not to exceed six months, or by both such fine and imprisonment. Any license issued to a firm or company shall not be construed so as to permit such firm or company to transact business in different places at the same time. All moneys received for said licenses shall be disposed of as prescribed by the law of this state relating to insurance licenses; and the compensation of the secretary of state for collecting moneys under this section shall be the same as that allowed the insurance commissioner for collecting insurance licenses.

J. E. BLUNDELL.

Chairman.

J. F. HENRY,

WM. ARMSTRONG.

On motion of Mr. Blundell, the report with amendments was adopted.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

February 17, 1891.)

Mr. Speaker:

I am directed by the president to inform you that he has signed house bills Nos. 178, 184, 8, 48 and 160, and house joint resolutions Nos. 10 and 11, and house joint memorial No. 12.

And the same is herewith returned to you.

O. P. MILLER,

Chief clerk.

The committee consisting of the Marion county delegation submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1891. }

Mr. Speaker:

Your committee, the Marion county delegation, to whom was referred senate bill No. 215, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Strike out the title and insert in place thereof the following: A bill for an act to amend section 18 of an act entitled an act to incorporate the city of Salem, approved October —, 1862, as amended by an act entitled an act to amend an act entitled an act to incorporate the city of Salem, approved October 26, 1868, approved October 26, 1872, as amended by an act entitled an act to amend sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 18 of an act entitled an act to incorporate the city of Salem, and all acts amendatory thereof, otherwise known as the charter of said city of Salem, approved October —, 1862, and sections 27 and 36 of the act supplemental thereto, approved February 16, 1887, filed in the office of the secretary of state February 25, 1889.

AMENDMENT.

Strike out sections 1 and 2 and insert in place thereof the following sections, respectively:

Section 1. That section 18 of an act entitled an act to incorporate the city of Salem, approved October —, 1862, as amended by an act entitled an act to amend an act entitled an act to incorporate the city of Salem, approved October 26, 1868, approved October 26, 1872, as amended by an act entitled an act to amend sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 18 of an act entitled an act to incorporate the city of Salem, and all acts amendatory thereof, otherwise known as the charter of said city of Salem, approved October —, 1862, and sections 27 and 36 of the act supplemental thereto, approved February 16, 1887, filed in the office of the secretary of state February 25, 1889.

Section 18. The common council shall not in any manner create any debt or liability which shall singly or in the aggregate exceed the sum of twenty thousand dollars in addition to the bonded

indebtedness now existing against the city, and the common council is hereby authorized in their discretion to issue bonds to said amount in addition to the bonds already issued by the city.

Section 2. Inasmuch as there is immediate need for this amendment, this act shall take effect and be in force from and after its approval by the governor.

THE MARION COUNTY DELEGATION.

On motion of Mr. Armstrong, the report with amendments was adopted.

The committee on railways and transportation submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1891. }

Mr. Speaker:

Your committee on railroads and transportation, to whom was referred senate bill No. 99, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line 7 after the word "thereby" insert the words, "*provided*, that nothing herein contained shall be construed to permit any street or suburban railroad to condemn a right of way to exceed thirty feet in width, except where a greater width is necessary to secure proper embankments or trestles; *and, provided further*, that no street or suburban railway shall acquire any right of entry, condemnation or appropriation within the limits of any incorporated town or city without the permission of the town or city council of said town or city; *and, provided further*, that it shall not be construed to allow the condemnation of any franchise heretofore granted to any such street or suburban railroad, except for necessary crossings."

H. B. MILLER,
Chairman.

On motion of Mr. Miller, the report with amendments was adopted.

Mr. Morey moved that the rules be suspended and senate bill No. 99 be read the third time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Dur-

ham, Dustin, Fox, Furry, Gambee, Hall, Hardy, Hartman, Johnston, Lamson, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Paquet, Reed, Richey, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wright, and Mr. Speaker—42.

Nays—Messrs. Barnes, Coleman, Crook, Garfield, Hansard, Henry, Holmes, Jennings, Leeper, Myer, Mulkey, Shedd, Stephenson, Thompson and Wilkins—15.

Absent—Messrs. Killian, Littig and Montgomery—3.

So the rules were suspended and senate bill No. 99 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Fox, Hardy, Hartman, Holmes, Manning, McAlister, Morey, Paquet, Starr, Stewart, Story, Thomas and Tracy—13.

Nays—Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Henry, Jennings, Johnston, Lamson, Leeper, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Shedd, Snider, Stephenson, Stillwell, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—41.

Absent—Messrs. Killian, Littig, Miller, Montgomery, Reed and Richey—6.

So the bill failed to pass.

Mr. Paquet was excused on account of committee work.

House bill No. 289 coming on for third reading, Mr. Minto moved to lay the bill on the table temporarily.

Carried.

House bill No. 231 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Botkin, Coleman, Crook, Durham, Furry, Garfield, Hall, Hansard, Hardy, Jennings, Johnston, Killian, Leeper, McCall, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Shedd, Snider, Stephenson, Stewart, Story, Thompson, Weed and Wilkins—31.

Nays—Messrs. Barrett, Dustin, Fox, Gambee, Hartman, Holmes, Lamson, Manning, McAlister, McCoy, Mulkey, Myer, Richey, Starr, Stillwell, Thomas, Tracy, Welch and Wright—19.

Absent—Messrs. Baker, Blundell, Butler, Henry, Littig, Miller, Montgomery, Paquet, Reed, and Mr. Speaker—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 237 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins and Wright—49.

Nays—None.

Absent—Messrs. Baker, Butler, Crook, Littig, McCall, Miller, Montgomery, Paquet, Reed, Weed, and Mr. Speaker—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bill No. 197, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

Mr. Blundell moved a call of the house.

Carried.

The clerk called the roll.

Those present were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins and Wright.

Those absent were:

Messrs. Butler, Crook, Garfield, Littig, McCall, McCracken, Montgomery, Paquet, Reed, Stephenson, and Mr. Speaker.

The sergeant-at-arms retired, and soon returned with the missing members.

On motion of Mr. McCracken, further call of the house was dispensed with.

House bill No. 278 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hartman, Henry, Holmes, Johnston, Killian, Lamson, Leeper, McAlister, McCoy, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Reed, Richey, Stephenson, Story, Thompson, Tracy, Wilkins and Wright—33.

Nays—Messrs. Barnes, Hall, Hansard, Hardy, Jennings, Manning, McCall, McCracken, Merritt, Meussdorffer, Miller, Shedd, Snider, Starr, Stewart, Stillwell, Weed, Welch, and Mr. Speaker—19.

Absent—Messrs. Baker, Butler, Crook, Littig, Montgomery, Morey, Paquet and Thomas—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The Multnomah delegation submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1891.

Mr. Speaker:

Your committee, the Multnomah delegation, to whom was referred senate bill No. 100, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

GEO. L. STORY,
Chairman,
JOHN McCRAKEN,
J. T. STEWART,
WARREN E. THOMAS,
C. H. MEUSSDORFFER,
O. F. BOTKIN,
P. F. MOREY,
JOHN H. HALL.

On motion of Mr. McCracken, the report was adopted.

The speaker announced that he was about to sign house bill No. 197, and soon after stated that he had so signed.

On motion of Mr. Snider, the house adjourned.

R. R. HAYS,
Chief clerk.

EVENING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1891. }

The house was called to order at 7:30 o'clock P. M., Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Armstrong, Fox, Hall, Holmes, Jennings, Montgomery, Reed and Stewart.

The committee on engrossed bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bill No. 21, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

House bill No. 21 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Crook, Dustin, Furry, Gambee, Garfield, Hall, Hardy, Hartman, Holmes, Johnston, Killian, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—Messrs. Coleman, Jennings, Hansard, Lamson, Leeper and Shedd—6.

Absent—Messrs. Durham, Fox, Henry and Montgomery—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on assessment and taxation submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1891. }

Mr. Speaker:

Your committee on assessment and taxation, to whom was referred house bill No. 290, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

E. O. McCOY,
Chairman.

On motion of Mr. McCoy, the report was adopted and considered engrossed.

House bill No. 290 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Sewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Durham, Fox, McCall, Miller, Montgomery, Mulkey and Snider—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

By unanimous consent, the committee on counties submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1891. }

Mr. Speaker:

Your committee on counties, to whom was referred senate bill No. 92, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house

with the recommendation that it do pass with the following amendments:

AMENDMENT.

Change Columbia county figures from \$200 to \$350.

AMENDMENT.

Change Crook county figures from \$400 to \$600.

AMENDMENT.

Change Grant county figures from \$600 to \$500.

AMENDMENT.

Change Klamath county figures from \$400 to \$500.

AMENDMENT.

Change Marion county figures from \$1,000 to \$1,200.

AMENDMENT.

Change Malheur county figures from \$300 to \$400.

AMENDMENT.

Change Multnomah county figures from \$2,000 to \$3,000.

AMENDMENT.

Change Union county figures from \$700 to \$500.

AMENDMENT.

Change Umatilla county figures from \$800 to \$600.

AMENDMENT.

Change Washington county figures from \$500 to \$600.

AMENDMENT.

Change Wallowa county figures from \$300 to \$250.

JUDSON WEED,
Chairman.

On motion of Mr. Weed, the report and amendments were adopted.
The committee on commerce submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 13, 1891. }

Mr. Speaker:

Your committee on commerce, to whom was referred senate bill No. 9, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

Strike out lines 1 and 2, section 8, printed bill, and insert in lieu thereof, "it shall be unlawful for any person or persons to take up or hold for more than five days, without notifying the owner thereof, any sawlogs."

AMENDMENT.

In lines 3 and 4, section 8, printed bill, strike out the words "or have the same in their possession."

AMENDMENT.

In line 7, section 8, printed bill, strike out the word "felony" and insert in lieu thereof "misdemeanor."

AMENDMENT.

In lines 8 and 9, section 8, strike out the words "penitentiary not to exceed five years," and insert in lieu thereof "county jail not to exceed three months."

JOHN FOX,
Chairman.

On motion of Mr. Manning, the report with amendments was adopted.

The committee on commerce submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1891. }

Mr. Speaker:

Your committee on commerce, to whom was referred house bill

bill No. 172, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Section 1, line 10 of printed bill, after the word "roads" insert "also the right to construct and maintain bridges over any and all streams and rivers of this state; *provided*, that they shall be so constructed as not to unnecessarily interfere with navigation of any such streams or rivers."

JOHN FOX,
Chairman.

On motion of Mr. Manning, the report with amendment was adopted.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 97, a bill for an act to amend section 1 of an act entitled an act to regulate the sale of spirituous, malt and vinous liquors, and to prevent the sale thereof without having first obtained a license therefor, and to repeal all laws and portions of laws in conflict therewith, filed in the office of the secretary of state February 18, 1889.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Senate bill No. 38 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Botkin, Butler, Coleman, Crook, Furry, Gambee, Garfield, Hall, Henry, Holmes, Jennings, Johnston, Manning, McAlister, McCoy, McCracken, Merritt, Meussdorffer, Moor of Benton, Morey, Mulkey, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Weed, Welch, Wilkins, Wright, and Mr. Speaker—38.

Nays—Messrs. Barrett, Dustin, Hansard, Hartman, Lamson, Leeper, McCall, Minto, Moore of Washington, Myer, Reed, Thompson and Tracy—13.

Absent—Messrs. Durham, Fox, Hardy, Killian, Littig, Miller, Montgomery, Paquet and Stephenson—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on agriculture submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1891.

Mr. Speaker:

Your committee on agriculture, to whom was referred house bill No. 9, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN MINTO,
Chairman.

On motion of Mr. Minto, the report was adopted.

Senate bill No. 178 coming on for a third reading, Mr. Holmes moved that it be referred to the committee on judiciary with leave to report at any time.

Mr. Barrett called to the chair.

Senate bill No. 110 coming on for a third reading, on motion of Mr. Holmes a call of the house was ordered.

The roll was called.

Those present were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Coleman, Crook, Dustin, Furry, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McCall, McCracken, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Richey, Shedd, Snider, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker.

Absent—Messrs. Blundell, Butler, Durham, Fox, Gambee, Hall, Hardy, Littig, McAlister, McCoy, Merritt, Miller, Montgomery, Myer, Paquet, Reed, Starr and Stewart.

The sergeant-at-arms retired and presently returned with the missing members.

Mr. Holmes moved further call of the house be dispensed with.

Carried.

Mr. Speaker resumed the chair.

Senate bill No. 110 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Dustin, Furry, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McCall, McCoy, McCracken, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—48.

Nays—Messrs. Paquet and Stillwell—2.

Absent—Messrs. Durham, Fox, Gambee, Hardy, Littig, McAlister, Merritt, Meussdorffer, Miller and Montgomery—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 1, a bill for an act to repeal an act entitled an act to create and establish a board of railroad commissioners and to define and regulate its powers and duties, and to fix the compensation of its members, approved February 18, 1887, and to repeal an act entitled an act to amend an act entitled an act to create and establish a board of railroad commissioners and to define and regulate its powers and duties, and to fix the compensation of its members, approved February 18, 1887, and being chapter 73 of the general laws of Oregon, as compiled and annotated by William Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Coleman moved to suspend the rules and read senate bill No. 1 the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin,

Coleman, Dustin, Furry, Gambee, Garfield, Hansard, Henry, Holmes, Jennings, Killian, Lamson, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Richey, Shedd, Snider, Starr, Stephenson, Thompson, Tracy, Weed and Wilkins—33.

Nays—Messrs. Butler, Crook, Hall, Hartman, Johnston, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Miller, Minto, Paquet, Reed, Stewart, Stillwell, Story, Thomas, Welch, Wright and Mr. Speaker—22.

Absent—Messrs. Durham, Fox, Hardy, Littig and Montgomery—5.

So the motion was lost.

Mr. Welch moved to indefinitely postpone the consideration of senate bill No. 1.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Botkin, Hall, Hartman, Johnston, Leeper, Manning, McCall, McCoy, McCracken, Minto, Moore of Washington, Reed, Starr, Stephenson, Stewart, Stillwell, Thomas, Weed, Welch, Wilkins, Wright, and Mr. Speaker—24.

Nays—Messrs. Barnes, Barrett, Blundell, Butler, Coleman, Crook, Dustin, Furry, Gambee, Garfield, Hansard, Henry, Holmes, Jennings, Killian, Lamson, McAlister, Merritt, Meussdorffer, Miller, Moor of Benton, Morey, Myer, Mulkey, Richey, Shedd, Snider, Story, Thompson and Tracy—30.

Absent—Messrs. Durham, Fox, Hardy, Littig, Montgomery and Paquet—6.

So the motion failed.

The speaker submitted the following messages from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 30.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 214, a bill for an act to limit the hours of labor.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1891. }

Mr. Speaker :

I am directed by the president to inform you that he has signed house bills Nos. 147 and 31.

And the same are herewith returned to you.

O. P. MILLER,
Chief clerk.

On motion of Mr. Welch, the house adjourned.

R. R. HAYS,
Chief clerk.

WEDNESDAY, FEBRUARY 18, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 18, 1891. }

The house was called to order at 9:30 o'clock A. M., Mr. Speaker in the chair.

The roll was called.

All members were present except Messrs. Crook, Jennings, Johnston, Littig, Meussdorffer, Montgomery, Paquet and Wilkins.

On motion of Mr. Killian, the reading of the journal was dispensed with.

Mr. McCoy moved that the house now consider house joint resolution No. 9.

Carried.

Mr. McCoy moved that the house adopt house joint resolution No. 9.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Garfield, Hall, Hartman, Henry, Holmes, Johnston, Killian, McAlister, McCall, McCoy, McCracken, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wright and Mr. Speaker—41.

Nays—Messrs. Barrett, Gambee, Hansard, Jennings, Lamson, Leeper, Manning, Myer and Thompson—9.

Absent — Messrs. Armstrong, Blundell, Hardy, Littig, Merritt, Montgomery, Paquet, Reed, Snider and Wilkins—10.

So the resolution was adopted.

Mr. Barnes moved that the vote be reconsidered by which the house refused to concur in the senate amendments, known as the "city hall commission," to house bill No. 118.

Mr. Hall moved to amend by laying the amendments on the table.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barrett, Fox, Hall, Johnston, Leeper, Manning, McCall, McCoy, Merritt, Miller, Moore of Washington, Morey, Reed, Snider, Starr, Stewart, Story, Thomas, Welch and Wright—21.

Nays—Messrs. Barnes, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, McAlister, McCracken, Meussdorffer, Minto, Moor of Benton, Myer, Mulkey, Paquet, Richey, Shedd, Stephenson, Stillwell, Thompson, Tracy, Weed, Wilkins, and Mr. Speaker—36.

Absent — Messrs. Baker, Littig and Montgomery—3.

So the amendment was lost.

The question then recurred upon Mr. Barnes' motion, and the motion carried.

The previous question was called, the question being, shall the house concur in senate amendment to house bill No. 118, known as city hall amendment.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Blundell, Botkin, Butler, Coleman,

Crook, Durham, Dustin, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Killian, Manning, McAlister, McCall, McCracken, Meussdorffer, Miller, Minto, Moor of Benton, Myer, Mulkey, Paquet, Richey, Shedd, Snider, Stephenson, Stillwell, Thompson, Tracy, Weed and Wilkins—38.

Nays—Messrs. Barrett, Fox, Hall, Jennings, Johnston, Lamson, Leeper, Littig, McCoy, Merritt, Moore of Washington, Morey, Reed, Starr, Stewart, Story, Thomas, Welch, Wright and Mr. Speaker—20.

Absent—Messrs. Baker and Montgomery—2.

So the house concurred in the amendments.

The committee on railways and transportation submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1891.

Mr. Speaker :

Your committee on railways and transportation, to whom was referred senate bill No. 162, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In the third line of the title of the bill, strike out the words "portage railway between the highest end," and in lieu thereof insert the words "transfer boat."

AMENDMENT.

In line 4 of the title, strike out the words "lowest points of the navigable waters of the Columbia river."

AMENDMENT.

In same line strike out the word "Celilo" and insert "the Cascades."

AMENDMENT.

In the fifth line of the title, strike out the words "Oregon and" and insert the words "of the Columbia river." After the word "necessary" insert the word "wharves." Strike out the word "thereto" and insert the words "for the proper use thereof."

AMENDMENT.

In section 1, line 5, strike out the words "portage railway between" and insert the words "transfer boat" in lieu thereof.

AMENDMENT.

In line 6 strike out the words "the highest and lowest points of the navigable waters of the Columbia river."

AMENDMENT.

In line 8, after the word "points," add the words "upon the conditions and contingencies hereinafter mentioned; *provided*, that such boat may be built by contract let to the lowest responsible bidder."

AMENDMENT.

Strike out all of line 10 and insert in lieu thereof "portage railways hereinafter mentioned and."

AMENDMENT.

In line 12, strike out the word "same" and insert the words "said boat."

AMENDMENT.

In line 21, strike out the words "said road" and insert the words "transfer boat" in lieu thereof.

AMENDMENT.

In section 2, strike out all of line 2, and in lieu thereof insert the words: "boat whenever it shall appear to said board that the congress of the United States has passed an appropriation for the construction of a portage railway at the dalles of the Columbia river, and when it shall further appear to said board that the said railway will be completed by the United States within the time that will be required for the construction of said transfer boat."

AMENDMENT.

In section 3, line 2, strike out the word "road" and insert the word "boat" in lieu thereof.

AMENDMENT.

In line 3, strike out the word "road" and insert the word "boat" in lieu thereof.

AMENDMENT.

In section 7, line 2, strike out the word "road" and insert the word "boat."

AMENDMENT.

In section 8, line 2, strike out the words "four hundred thousand" and insert the words "one hundred and twenty-five thousand" in lieu thereof.

AMENDMENT.

In line 5, after the word "board" insert the words: "*provided, there are available funds in the treasury for such purpose.*"

AMENDMENT.

Strike out all of section 9, and in lieu thereof insert the following: For the purpose of raising money to carry out the provisions of this act, there is hereby levied on the taxable property of this state, as shall be shown by the assessment rolls of the years 1891 and 1892, a special tax for each of said years of one-half of one mill, to be collected when other state taxes are collected.

Mr. McCoy moved that the report with amendments be adopted.

Mr. Killian asked permission to have a communication read showing the feasibility of the road.

Granted.

On the adoption of the report the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barrett, Blundell, Crook, Durham, Fox, Furry, Hall, Hansard, Hartman, Henry, Jennings, Johnston, Lamson, Leeper, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—41.

Nays—Messrs. Armstrong, Barnes, Botkin, Butler, Coleman, Dustin, Gambee, Garfield, Hardy, Holmes, Killian, Littig, McAlister, Myer, Mulkey, Stephenson, Thompson and Welch—18.

Absent—Mr. Montgomery—1.

So the report with the amendments was adopted.

Mr. Miller moved that the rules be suspended and senate bill No. 162 be put on its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Henry, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—Messrs. Dustin, Holmes, Myer and Thompson—4.

Absent—Messrs. Fox, Hartman and Montgomery—3.

So the rules were suspended.

Mr. Welch moved to adjourn.

Lost.

Mr. Miller then moved to re-refer senate bill No. 162 to the committee on railways and transportation, with leave to report at any time.

Carried.

On motion of Mr. McCracken, the house adjourned.

R. R. HAYS,
Chief clerk.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 18, 1891. }

The house was called to order at 1:30 o'clock P. M., Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Gambee, Garfield, Henry, McAlister, Montgomery and Starr.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, Oregon, }
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bill No. 197.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

On motion of Mr. Paquet, the courtesies of the house were extended to Hon. J. T. Apperson.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 24.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has adopted house joint resolution No. 9.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 20, a bill for an act to amend sections 4 and 5 of an act entitled an act to amend sections 3350, 3351, 3353, 3354, and 3362, and to repeal sections 3359 and 3360 of title 1 of chapter 38 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills Nos. 79, 207 and 216 are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 79, 207 and 216, and soon after stated that he had so signed.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 227, a bill for an act to amend section 2458 of title 4 of chapter 13 of the laws of Oregon, as compiled and annotated by W. Lair Hill, relating to the terms of county officers.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Butler moved that senate bill No. 24 be made a special order for this evening at 8 o'clock.

Carried.

Mr. Paquet asked that the ways and means committee be excused.

Granted.

The committee on railways and transportation submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

Your committee on railroads and transportation, to whom was referred senate bill No. 162, beg leave to report that they have had

the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

In lieu of the amendments to section 8, as reported, substitute the following amendments:

AMENDMENT.

Strike out the words "four hundred thousand" and in lieu thereof insert "one hundred and twenty-five thousand."

AMENDMENT.

In lieu of the amendments to section 9, as reported, we recommend that all of section 9 be stricken out.

H. B. MILLER,
Chairman.

On motion of Mr. Miller, the report with amendments was adopted. Mr. Armstrong moved the previous question.

Carried.

Senate bill No. 162 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Blundell, Botkin, Fox, Furry, Hall, Henry, Johnston, Lamson, Littig, Manning, McCracken, Miller, Minto, Moor of Benton, Morey, Reed, Richey, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Wright, and Mr. Speaker—26.

Nays—Messrs. Barnes, Barrett, Coleman, Crook, Durham, Dustin, Gambee, Garfield, Hansard, Hardy, Hartman, Holmes, Jennings, Killian, Leeper, McAlister, McCall, McCoy, Merritt, Meussdorffer, Moore of Washington, Mulkey, Myer, Shedd, Snider, Stephenson, Thompson, Welch and Wilkins—29.

Absent—Messrs. Baker, Butler, Montgomery, Paquet and Starr—5.

So the bill failed to pass.

Mr. McCoy asked to have his vote changed from aye to nay for the reason that he was very desirous of having this bill pass, and for that reason changed his vote so that he might move to reconsider the vote by which the bill was lost.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house

bills Nos. 96, 102, 113, 142, 200, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The committee on judiciary submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred senate bill No. 178, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

After section 4 add section 5 as follows:

Section 5. All warrants drawn on the state treasurer by the secretary of state by order of court, as authorized in section 3141 of title 1 of chapter 25 of Hill's code, shall be made payable out of the common school fund principal.

JOHN H. HALL,
Chairman.

Mr. Hall moved that the report with amendment be adopted.
Carried.

Mr. Hall moved that the standing and select committees be allowed to report.
Carried.

The speaker announced that he was about to sign house bills Nos. 102, 142, 113, 96 and 200, and soon after stated he had so signed.

The committee on judiciary submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 14, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 193, beg leave to report that they have had the same under

consideration, and would respectfully report it back to the house without recommendation.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

The committee on roads and highways submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1891. }

Mr. Speaker:

Your committee on roads and highways, to whom was referred house bill No. 249, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

C. E. MOOR,
Chairman.

On motion of Mr. Moor, the report was adopted.

The committee on education submitted the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1891. }

Mr. Speaker:

Your committee on education, to whom was referred house bill No. 264, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass for the following reason: That the age of consent as set forth therein is too high for the Multnomah delegation.

J. E. BLUNDELL,
Chairman,
WM. ARMSTRONG,
J. F. HENRY.

On motion of Mr. Blundell, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1891. }

Mr. Speaker:

Your committee on education, to whom was referred house bill No. 179, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. E. BLUNDELL,
Chairman,
WM. ARMSTRONG,
J. F. HENRY.

On motion of Mr. Blundell, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1891. }

Mr. Speaker:

Your committee on education, to whom was referred senate bill No. 76, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

J. E. BLUNDELL,
Chairman.
WM. ARMSTRONG,
J. F. HENRY.

On motion of Mr. Blundell, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1891. }

Mr. Speaker:

Your committee on education, to whom was referred senate bill No. 112, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass as amended below:

AMENDMENT.

That all persons who shall complete a required course of study and receive a literary degree therefor, in any institution of learning of collegiate or university grade, chartered or incorporated under the laws of this state, and shall have passed such examination thereon as may be designated and approved by the state board of education, shall be entitled to receive a state diploma, as is now authorized by law; and after six years of successful teaching in the state of Oregon, shall be entitled to the state life diploma, as now provided by law, when they shall have paid the required fee for said diploma.

J. E. BLUNDELL,

Chairman.

WM. ARMSTRONG,

J. F. HENRY.

On motion of Mr. Blundell, the report with amendment was adopted.

The committee on judiciary submitted the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 14, 1891. }

Mr. Speaker :

Your committee on judiciary, to whom was referred house bill No. 242, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

On line 2, section 4, printed bill, strike out the word "fifty" and insert instead thereof the words "twenty-five."

JOHN H. HALL,

Chairman.

On motion of Mr. Hall, the report with amendment was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 15, 1891. }

Mr. Speaker :

Your committee on judiciary, to whom was referred house bill

No. 261, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 14, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 164, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation with the following amendments:

AMENDMENT.

Strike out all of section 1 and substitute the following:

Section 1. If any person shall wilfully use any profane, abusive, or obscene language in the presence or within the hearing of another, for the purpose of provoking anger, or shall apply to any person any vile or abusive epithets, such person shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not less than five dollars nor more than fifty dollars.

AMENDMENT.

Strike out all of section 2 and substitute the following:

Section 2. Justices' courts shall have jurisdiction of all offenses arising under the provisions of this act.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report and amendments were adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 14, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 269, beg leave to report that they have had the same under consid-

eration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 14, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 268, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line 2, section 3, strike out the word "six" and insert instead thereof the word "eight."

AMENDMENT.

Section 4, line 6, strike out the word "six" and insert the word "ten."

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report with amendments was adopted. The committee on claims submitted the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 12, 1891. }

Mr. Speaker:

Your committee on claims, to whom was referred senate bill No. 176, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. M. McCALL,
Chairman.

On motion of Mr. McCall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 12, 1891. }

Mr. Speaker:

Your committee on claims, to whom was referred senate bill No. 94, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with letters attached, without recommendations.

J. M. McCALL,
Chairman.

On motion of Mr. McCall, the report was adopted.

Mr. Hall moved the house take up the third reading of house bills.

Carried.

THIRD READING OF HOUSE BILLS.

Mr. Welch moved that Mr. Crook be allowed 300 miles additional to the amount allowed in the report of the committee, which fixed the mileage of members.

Carried.

Senate bill No. 9 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Furry, Gambia, Garfield, Hansard, Hardy, Henry, Jennings, Johnston, Killian, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Reed, Richey, Shedd, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—45.

Nays—Messrs. Fox, Hall, Hartman, Snider and Starr—5.

Absent—Messrs. Baker, Butler, Crook, Holmes, Lamson, Littig, Montgomery, Myer, Paquet and Story—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. McCoy moved that house bill No. 193 be considered engrossed and passed to third reading.

Carried.

House bill No. 193 was read the third time.

Mr. Durham moved that house bill No. 193 be indefinitely postponed.

Carried.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bills Nos. 96, 102, 142, 113 and 200.

And the same are herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bill No. 161 is reported as correctly enrolled.

And the same is herewith returned to you for your signature.

O. P. MILLER,
Chief clerk.

House bill No. 249 coming on for third reading, Mr. Welch moved that the bill be indefinitely postponed.

Carried.

On motion of Mr. Hall, house bill No. 264 was considered engrossed.

The speaker announced that he was about to sign senate bill No. 161, and soon after stated that he had so signed.

House bill No. 264 was read the third time.

The question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Dustin, Fox, Gambee, Garfield, Hall, Hardy, Hartman, Holmes, Jennings, Johnston, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey Paquet, Reed, Richey, Stephenson, Stewart, Stillwell, Story, Thomas, Weed, Wilkins, Wright, and Mr. Speaker—41.

Nays—Messrs. Armstrong, Coleman, Durham, Furry, Hansard, Henry, Killian, Minto, Shedd, Snider, Thompson, Tracy and Welch—13.

Absent—Messrs. Crook, Littig, Manning, McCoy, Montgomery and Starr—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Hall, house bill No. 269 was considered engrossed.

House bill No. 269 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Hardy, Littig, McCoy and Montgomery—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Baker, house bill No. 261 was considered engrossed, and passed to third reading.

House bill No. 261 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Henry, Holmes, Johnston, Killian, Lamson, Leeper, McCall, McCracken, Merritt, Meussdorffer, Miller, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Starr, Stewart, Stillwell, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—41.

Nays—Messrs. Jennings, Manning, Minto, Moor of Benton, Myer, Shedd, Stephenson, Story and Thompson—9.

Absent—Messrs. Coleman, Crook, Hall, Hardy, Hartman, Littig, McAlister, McCoy, Montgomery and Snider—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Thomas moved that the rules be suspended and senate bill No. 227 be read the first time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Henry, Holmes,

Jennings, Johnston, Killian, Lamson, Leeper, Manning, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Wilkins, Wright, and Mr. Speaker—47.

Nays—Messrs. Tracy and Welch—2.

Absent—Messrs. Blundell, Coleman, Crook, Hall, Hardy, Hartman, Littig, McAlister, McCoy, Montgomery and Snider—11.

So the rules were suspended, and senate bill No. 227 was read the first time and passed to second reading without further question.

Mr. Thomas moved that the rules be again suspended and senate bill No. 227 be read the second time by title.

Motion failed.

Mr. Hall moved that the house return to the third reading of senate bills.

Carried.

THIRD READING OF SENATE BILLS.

Senate bill No. 59 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Henry, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Thomas, Thompson, Tracy, Weed, Welch, and Mr. Speaker—44.

Nays—None.

Absent—Messrs. Armstrong, Blundell, Crook, Garfield, Hartman, Holmes, Littig, Miller, Montgomery, Mulkey, Stewart, Stillwell, Story, Wilkins and Wright—16.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 122 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephen-

son, Stillwell, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Armstrong, Furry, Henry, Holmes, Littig, Montgomery, Stewart, Story, Thomas and Wright—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 101 coming on for third reading, Mr. Thomas moved the bill be indefinitely postponed.

Carried.

Senate bill No. 66 coming on for third reading, Mr. Baker moved the bill be indefinitely postponed.

Carried.

Senate bill No. 128 coming on for third reading, on motion, was laid on the table.

Senate bill No. 142 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Crook, Gambee, Henry, Littig, McCracken, Miller, Montgomery, Myer, Reed and Story—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker appointed as a committee to examine and approve the journals of the house, Messrs. Jennings and McAlister, and the resolution provided that Mr. Speaker should be the other member.

Senate bill No. 122 coming on for third reading, Mr. Killian moved the bill be laid on the table, with leave to call it up at any time.

Carried.

Senate bill No. 91 coming on for third reading, Mr. Jennings moved to refer it to the committee on corporations.

Lost.

Senate bill No. 91 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Dustin, Fox, Furry, Gambee, Hardy, Hartman, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Morey, Paquet, Reed, Richey, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—41.

Nays—Messrs. Coleman, Dustin, [Durham], Garfield, Hansard, Henry, Jennings, Mulkey, Myer, Shedd, Snider, Stephenson and Thompson—12.

Absent—Messrs. Crook, Hall, Holmes, Littig, Miller, Minto and Montgomery—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on engrossed bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bills Nos. 268, 242 and 164, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills Nos. 137, 221 and 203 are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 137, 221 and 203, and soon thereafter that he had so signed.

Senate bill No. 35 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Dustin, Fox, Furry, Gambee, Garfield, Hardy, Hartman, Henry, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Crook, Durham, Hall, Hansard, Holmes, Littig, Meussdorffer, Miller, Minto and Montgomery—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 68 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Story, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—50.

Nays—Messrs. Armstrong and Starr—2.

Absent—Messrs. Crook, Hall, Littig, Meussdorffer, Miller, Montgomery, Thomas and Wright—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 213 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, and Mr. Speaker—47.

Nays—Messrs. Dustin, Garfield, Stephenson and Thompson—4.

Absent—Messrs. Crook, Lamson, Littig, McCoy, Miller, Montgomery, Richey, Wilkins and Wright—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 133 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Fox, Furry, Gambee, Garfield, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, and Mr. Speaker—46.

Nays—Messrs. Dustin and Hansard—2.

Absent—Messrs. Crook, Hall, Lamson, Littig, McCoy, Miller, Montgomery, Morey, Richey, Snider, Wilkins and Wright—12.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 130 came on for third reading.

Mr. Miller moved a call of the house.

Carried.

The roll was called.

Those present were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McCall, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—52.

Absent—Messrs. Crook, Hall, Littig, McAlister, McCoy, Meussdorffer, Montgomery and Paquet—8.

The sergeant-at-arms retired, and shortly returned with the absent members.

Mr. Hansard moved that further proceedings under the call of the house be dispensed with.

Carried.

Mr. Hall moved the previous question.

Carried.

Senate bill No. 130 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Blundell, Botkin, Butler, Crook, Dustin, Fox, Hardy, Hartman, Henry, Johnston, Leeper, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Morey, Mulkey, Paquet, Reed, Richey, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Weed, Welch, Wilkins and Wright—36.

Nays—Messrs. Armstrong, Barrett, Coleman, Durham, Furry, Gambee, Garfield, Hall, Hansard, Holmes, Jennings, Killian, Lamson, Minto, Moore of Washington, Myer, Shedd, Snider, Thompson, Tracy, and Mr. Speaker—21.

Absent—Messrs. Littig, McAlister and Montgomery—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bill No. 30, house joint resolution No. 9, and house concurrent resolution No. 24, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 97, with the following amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

AMENDMENT.

Section 2. That if any railroad company, or person, or corporation operating any railroad in this state, subject to the provisions of this act, shall charge, demand, or receive any greater amount for the transportation of person or property than the rates approved and fixed by said commission, as provided in section 1 of this act, then the said board of railroad commissioners are empowered and authorized, in the name of the state of Oregon, to commence a suit in equity in the proper circuit court of this state for the purpose of requiring such common carrier to comply with the tariff of charges so approved and fixed, and the said court shall have power to determine whether or not such tariff shall be enforced. Such tariff of charges so approved, as hereinafter stated, shall be received by all courts in this state as *prima facie* evidence of the fact that the same are just and reasonable; and if it be made to appear to such court on such hearing that the said tariff should be enforced, it shall be lawful for such court to issue a writ of injunction, mandatory or otherwise, for the purpose of compelling such common carrier to put in force and effect the tariffs of rates, fares, charges, or classifications so approved by the said board of railroad commissioners. Either party to such proceeding before said circuit court may appeal to the supreme court of the state under the same regulations now provided by law in respect to security for such appeal, and it shall be the duty of said supreme court, upon such appeal, to hear and decide all questions of law and fact therein involved. Whenever any such complaint shall be filed or presented by the commission, it shall be the duty of the district attorney of the proper judicial district to prosecute the same; and if decree is given against said company, the court shall require it to pay to such district attorney a reasonable sum for his fee in prosecuting said suit not exceeding \$150.

AMENDMENT.

Amend section 6 as follows:

In line 5 strike out the words "an action" and insert in lieu thereof "a."

AMENDMENT.

In line 6, strike out the word "or" and the words "as the case may require," and after the word "court" insert the words "of the county wherein the injury complained of arose or exists," and strike out the words "of the state."

AMENDMENT.

Also strike out all after the word "commission" in line 7 to and including the word "reasonable" in line 9.

AMENDMENT.

Strike out the words "action or" in line 9.

AMENDMENT.

Strike out the words "action or" in line 10.

AMENDMENT.

Strike out the words "actions or" in line 11.

AMENDMENT.

Add to section 6 the following: And on a final determination thereof, if the court shall find that the findings and recommendations of the commission are reasonable, it shall provide for the enforcement thereof by a proper decree; or if it shall modify, amend, or change such findings and recommendations, it shall, by proper degree, provide for enforcing the same as modified, amended or changed.

AMENDMENT.

Strike from line 16 of section 7, printed bill, all after the word "establish" to and including the word "business" in said line.

AMENDMENT.

Strike out section 8 and insert the following:

Section 8. If any railroad company, or person, or corporation, operating any railroad in this state subject to the provisions of this act, shall charge, demand, or receive any greater amount for the transportation of persons or property than the rates approved and fixed by said commission, and which rates may thereafter be adjudged to be reasonable by the proper circuit court, in the manner provided by section 2 of this act, or which may already have been so adjudged, and such excess of charges is not repaid to the party injured by such overcharge within 30 days after written demand therefor, any person, company or corporation who have paid such overcharge, may recover from such railroad company,

person or corporation, charging, demanding, or receiving such overcharge, in an action in the circuit court of the county where such sum was paid double the amount of all sums so paid over and above the rates approved and fixed as aforesaid together with the costs and disbursements of such action, and such further sum as compensation for attorney fees, in bringing and maintaining such action.

AMENDMENT.

Add the following sections:

Section 9. In all suits or actions provided for in this act, the summons shall be served upon any officer or agent of the defendant in the county where such action or suit is instituted; and the officer serving the same shall also forward by mail a copy of the complaint in such suit or action to the head office of the defendant in this state.

Section 10. The cost and expenses in all actions, suits, and proceedings in the courts of this state adjudged to be paid by the state and by this act authorized, shall be paid out of the funds appropriated to defray the expenses of said commission; but if said appropriation is insufficient to pay such costs, then the secretary of state is hereby authorized and directed to draw his warrant upon the state treasurer in favor of the proper officer of the court, certifying the cost bill to meet such deficiency from the general fund.

Section 11. Whereas the present law is inefficient, this act shall be in force and effect from and after its passage and approval.

Mr. Miller moved that the bill with the amendments be referred to the committee on railways and transportation, with leave to report at any time.

Carried.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 85, a bill for an act to incorporate the city of Albina, Multnomah county, state of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate joint resolution No. 10, relating to joint rule No. 11.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

SENATE JOINT RESOLUTION NO. 10.

Resolved by the Legislative Assembly of the State of Oregon:

That joint rule No. 11 of this legislative assembly, so far as the same might apply to the bill known as the general appropriation bill, be and the same is hereby suspended, and shall not apply to such bill.

Mr. McCoy moved that the house concur in the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wright, and Mr. Speaker—51.

Nays — Messrs. Jennings, McCall, Minto, Shedd, Stephenson, Thompson and Wilkins—7.

Absent—Messrs. Littig and Montgomery—2.

So the house concurred in the resolution.

Mr. Jennings offered the following protest:

PROTEST.

I hereby protest against the suspension of joint rule No. 11, allowing the general appropriation bill to be presented at the last day of the session.

A. C. JENNINGS.

Mr. Hall moved that the rules be suspended and senate bill No. 85 read the first time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Blundell, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stephenson, Tracy, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Fox, Henry, Killian, Littig, Montgomery and Paquet—6.

So the rules were suspended and senate bill No. 85 read the first time and passed to second reading without further question.

Mr. Hall moved to suspend the rules and read senate bill No. 85 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Fox, Gambee, Littig, Montgomery and Wilkins—5.

So the rules were suspended and the bill read the second time by title.

Mr. Hall moved to suspend the rules and to consider senate bill No. 85 engrossed and read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Littig, Montgomery and Wilkins—3.

So the rules were suspended and senate bill No. 85 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Gambee, Holmes, Littig, Montgomery and Wilkins—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker announced that he was about to sign house bill No. 30, house concurrent resolution No. 24, and house joint resolution No. 9, and soon after stated that he had so signed.

On motion of Mr. Garfield, the house adjourned.

EVENING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 18, 1891. }

The house was called to order at 7:30 o'clock P. M., Mr. Speaker in the chair.

The roll was called.

All the members were present except Mr. Montgomery.

The committee on railways and transportation submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 18, 1891. }

Mr. Speaker:

Your committee on railroads and transportation, to whom was referred house bill No. 97, with senate amendments, beg leave to

report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that the house concur in senate amendments.

H. B. MILLER,
Chairman.

On motion of Mr. Miller, the report was adopted, and the house concurred in the senate amendments to house bill No. 97.

Mr. Durham introduced the following resolution.

HOUSE RESOLUTION NO. 49.

Resolved, That no more than two speeches be made on any one question, and not more than one speech be made for and one against a measure.

And moved its adoption.

Lost.

Mr. Thomas moved that the rules be suspended and senate bill No. 227 be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Littig, McAlister, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—53.

Nays—Messrs. Jennings and McCracken—2.

Absent—Messrs. Manning, Montgomery, Snider, Stephenson and Welch—5.

So the rules were suspended and the bill read the second time by title.

On motion of Mr. Thomas, the bill was referred to the committee on judiciary, with leave to report at any time.

On motion of Mr. Crook, senate bill No. 206 was ordered printed.

On motion of Mr. Wright, the house returned to the order of third reading of house bills.

THIRD READING OF HOUSE BILLS.

Mr. Story introduced house concurrent resolution No. 25:

HOUSE CONCURRENT RESOLUTION NO. 25.

Whereas the president of the United States contemplates visiting the state of California during the early part of the year, and it is

desirable that his visit should be so extended that he visit the state of Oregon;

Resolved, That his excellency, the governor, be requested to extend to the president an invitation on behalf of the state to visit Oregon during his contemplated trip to the Pacific coast.

Resolved, further, That a committee, consisting of three on the part of the senate, one of whom shall be the president of the senate, and five on the part of the house, one of whom shall be the speaker of the house, be appointed to act in conjunction with the governor in receiving and entertaining the president, and making such arrangements for the extending of the courtesies of the state to the distinguished visitor as may be deemed appropriate.

On motion of Mr. Killian, the resolution was adopted.

The committee on fisheries submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1891. }

Mr. Speaker:

Your committee on fisheries, to whom was referred house bill No. 215, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments attached:

AMENDMENT.

Strike out all after the enacting clause, and insert in lieu thereof the following:

Section 1. That section 1 of said act of February 25, 1889, entitled an act to amend sections 1932 and 1940 of the code and general laws of the state of Oregon, be amended to read as follows:

Sec. 1. That section 1932 be amended so as to read as follows:
Sec. 1932. Every person who shall, within the state of Oregon, between the first day of December and the first day of August of the ensuing year, hunt, pursue, take, kill, or destroy any elk, moose, mountain sheep, deer, or spotted fawn, shall be guilty of a misdemeanor; *provided*, that it shall be unlawful to kill elk at any time for a period of five years. Every person who shall at any time hunt, pursue, take, kill, or destroy any of the animals mentioned in this act, except such person use the flesh of such animals for food, shall be guilty of a misdemeanor. Every person who shall sell, or offer for sale, barter, or exchange, and every person or corporation

who shall buy, or offer to transport, or carry for the purpose of barter, sale, or exchange any of the flesh of any animal mentioned in this act at any time, shall be guilty of a misdemeanor. Upon the prosecution of any person or persons for a violation of the provisions of this act, the possession by the accused of any of the flesh of the aforesaid animals shall be *prima facie* evidence of the guilt of the accused.

That section 1940 be amended to read as follows:

Sec. 1940. Every person convicted of a violation of any of the provisions of this act shall be punished by a fine of not less than \$20 nor more than \$200, or imprisonment in the county jail of the county in which such offense was committed, not less than 10 days nor more than 3 months, or both such fine and imprisonment. One-half of all moneys collected for fines for violation of any of the provisions of this act shall be paid to the common school fund of the county in which the offense was committed, and one-half to the informer. This act shall in no wise affect any of the provisions of the present game law of the state of Oregon, except said sections 1932 and 1940, Hill's code, and said act of February 25, 1889. Justices of the peace shall have concurrent jurisdiction of all cases prosecuted under the provisions of this act.

Inasmuch as the existing laws of this state relative to the killing and destroying of the animals mentioned in this act are ineffective, and do not protect said animals, and said animals are fast becoming extinct, this act shall be and remain in force for a period of five years from and after its approval by the governor.

A. W. REED,
Chairman.

On motion of Mr. Dustin, the report with amendments was adopted.

House bill No. 164 coming on for third reading, Mr. Tracy asked unanimous consent to withdraw the bill.

Granted.

House bill No. 242 was read the third third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr,

Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Hall, Johnston, Miller and Montgomery—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 268 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Furry, Gambee, Garfield, Hall, Hardy, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—51.

Nays—Messrs. Hansard, Hartman, Killian, Minto and Richey—5.

Absent—Messrs. Dustin, Fox, Miller and Montgomery—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills Nos. 38, 13 and 131 are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 38, 13 and 131, and soon after announced that he had so signed.

The committee on judiciary, with leave to report at any time, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred senate bill

No. 227, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Section 2. Inasmuch as there is uncertainty as to when the term of county assessors begins, this act shall take effect from and after its approval by the governor.

JOHN H. HALL,
Chairman.

On motion of Mr. Thomas, the report with amendment was adopted.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 157, a bill for an act to amend section 313 of Hill's annotated laws of Oregon, relating to the earnings of any debtor having a family to support.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

House bill No. 53 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—Mr. Thomas—1.

Absent—Messrs. Hall and Montgomery—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 169, a bill for an act to amend section 1142 of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 23.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

The speaker announced that the special order for this hour was the consideration of senate bill No. 24.

Senate bill No. 24 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Botkin, Butler, Crook, Dustin, Gambee, Garfield, Hansard, Hardy, Hartman, Holmes, Killian, McAlister, McCracken, Meussdorffer, Miller, Moor of Benton, Myer, Mulkey, Paquet, Richey, Shedd, Snider, Stephenson, Story, Thompson, Weed, Welch and Wilkins—31.

Nays—Messrs. Barrett, Blundell, Coleman, Durham, Fox, Furry, Hall, Henry, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McCall, Merritt, Minto, Moore of Washington, Reed, Starr, Stewart, Stillwell, Tracy, Wright, and Mr. Speaker—24.

Absent—Messrs. Littig, McCoy, Morey, Montgomery and Thomas—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on ways and means submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 18, 1891. }

Mr. Speaker:

Your committee on ways and means, to whom was referred house bill No. 245, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

P. PAQUET,
Chairman.

On motion of Mr. Paquet the report was adopted.

On motion of Mr. Paquet, house bill No. 245 was considered engrossed.

House bill No. 245 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Botkin, Butler, Durham, Fox, Hartman, Holmes, Johnston, Killian, McAlister, McCoy, McCracken, Moor of Benton, Morey, Paquet, Richey, Stewart, Story, Thomas, Tracy, Weed, Welch and Wright—23.

Nays—Messrs. Armstrong, Barnes, Barrett, Blundell, Coleman, Crook, Dustin, Furry, Gambee, Garfield, Hardy, Jennings, Lamson, Leeper, McCall, Merritt, Miller, Minto, Moore of Washington, Myer, Shedd, Snider, Starr, Stephenson, Stillwell, Thompson, Wilkins, and Mr. Speaker—28.

Absent—Messrs. Hall, Hansard, Henry, Littig, Manning, Meussdorffer, Montgomery, Mulkey and Reed—9.

So the bill failed to pass.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, Oregon, }
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has

passed senate bill No. 185, a bill for an act to authorize the school directors of school district No. 8, in Coos county, Oregon, to bond the said district, and to incur an indebtedness of ten thousand dollars for the purpose of erecting a suitable school building in said district, and to purchase grounds therefor.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 224, a bill for an act to amend section 3828, on page 1637, and section 3830, on page 1638, of second Hill's annotated laws of Oregon, relating to mining claims.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 196, a bill for an act to amend section 3609 on page 1568 of second Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 180, a bill for an act entitled an act to amend

section 4229, of chapter 85 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 188, a bill for an act to amend section 1859 of chapter 7 of the criminal code of Oregon, as compiled and annotated by William Lair Hill, relating to adultery.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 116, a bill for an act to create the office of attorney-general, provide the duties, and fix the compensation.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 226, a bill for an act to regulate the construction of smokestacks on steam and other water craft plying on the Willamette river.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 114, a bill for an act to amend section 17, title 11, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, volume 1, page 141.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

The committee on engrossed bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

Your committee on engrossed bills, to whom was referred house bill No. 215, beg leave to report the same back to the house as correctly engrossed.

J. W. MERRITT,
Chairman.

The speaker announced that if there was no objection, the house would proceed to consider all house bills on the table.

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February —, 1891. }

Mr. Speaker:

Your committee, consisting of the Linn county delegation, to whom was referred house bill No. 258, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. F. HENRY,
Chairman.

On motion of Mr. Henry, the report was adopted.

Messrs. Crook and Garfield were excused for the evening.

House bill No. 258 was taken from the table.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Furry, Gambee, Hansard, Hardy, Henry, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moore of Washington, Reed, Richey, Shedd, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—43.

Nays—None.

Absent—Messrs. Crook, Fox, Garfield, Hall, Hartman, Holmes, Littig, McCoy, Montgomery, Moor of Benton, Morey, Mulkey, Myer, Paquet, Snider, Stewart and Wright—17.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following messages from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 55, a bill for an act relating to the regulation of insurance business in the state of Oregon, as compiled and annotated by W. Lair Hill, and section 3567 of said chapter 50 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, as amended by an act entitled an act to amend sections 3564, 3567, 3568 and 3580 of chapter 50 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, approved February 25, 1889.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has

passed senate bill No. 190, a bill for an act to amend section 984, chapter 13, title 1, of the general laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

House bill No. 138 was taken from the table.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Dustin, Furry, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Reed, Richey, Shedd, Snider, Starr, Stewart, Story, Thomas, Thompson, Tracy, Weed, Wilkins and Mr. Speaker—44.

Nays—Messrs. Stephenson and Welch—2.

Absent—Messrs. Crook, Durham, Fox, Gambee, Garfield, Hall, Hartman, Littig, Montgomery, Mulkey, Myer, Paquet, Stillwell and Wright—14.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Miller was invited to the chair.

On motion of Mr. Stewart, the courtesies of the house were extended to Hon. Alexander.

House bill No. 215 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Botkin, Butler, Dustin, Furry, Gambee, Hall, Hansard, Hardy, Henry, Holmes, Johnson, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Reed, Richey, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—41.

Nays—Messrs. Barrett, Blundell, Coleman, Durham, Jennings, Lamson, Leeper, McCoy [?], Shedd and Stephenson—9.

Absent—Messrs. Armstrong, Crook, Fox, Garfield, Hartman, Killian, Littig, Montgomery, Myer and Paquet—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Speaker resumed the chair.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 217, a bill for an act to repeal an act entitled an act to amend section 2755 of title 3 of chapter 17 of the laws of Oregon, as compiled and annotated by Wm. Lair Hill, approved February 25, 1889, and to amend section 2755 of title 3 of chapter 17 of the laws of Oregon, as compiled and annotated by Wm. Lair Hill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed senate bill No. 211, a bill for the relief of J. J. McGee.

Whereas J. J. McGee did, on the twelfth day of August, 1885, make application to the proper authorities for the purchase of school land situated in Morrow county, state of Oregon, to wit, southeast quarter of southeast quarter of section sixteen, township six, range twenty-five east of the Willamette meridian; and

Whereas said J. J. McGee did, on the twelfth day of August aforesaid, pay to the school superintendent of said county, the same being by virtue of his office state agent for the sale of school and university lands situated in said county, the sum of \$27 and the further sum of \$2.65 interest; and

Whereas through the mistake of said county school superintendent in making out said application for said school lands, as described aforesaid, he did insert the following, to wit, the southeast quarter of southeast quarter of section thirty-six, township six south, of range twenty-five east of the Willamette meridian, said land being wholly unfit for agricultural purposes and lying at least four miles distant from land owned and occupied by said J. J. McGee.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bill No. 110 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The committee on judiciary submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 241, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

Mr. Speaker announced that he was about to sign senate bill No. 110, and soon after stated that he had so signed.

House bill No. 241 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Dustin, Fox, Furry, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, and Mr. Speaker—49.

Nays—Mr. Welch—1.

Absent—Messrs. Coleman, Crook, Gambee, Garfield, Hall, Littig, Montgomery, Paquet, Stewart and Wright—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Miller moved that senate concurrent resolution No. 12 be taken from the table, and that the house concur.

Carried.

So the house concurred.

House bill No. 226 was taken from the table and read the third time.

Mr. Minto moved that the bill be laid on the table.

Carried.

House bill No. 263 was taken from the table.

Mr. Jennings moved that the bill be indefinitely postponed.

Carried.

House bill No. 295 was taken from the table.

Mr. Jennings moved that the bill be indefinitely postponed.

Lost.

Mr. Merritt demanded a call of the house.

The roll was called.

Those present were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Shedd, Snider, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Absent—Messrs. Crook, Garfield, Hardy, Littig, McCall, Montgomery, Paquet, Starr, Stephenson and Stewart—10.

The sergeant-at-arms returned shortly with the missing members.

On motion of Mr. Gambee, the further call of the house was dispensed with.

House bill No. 295 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Botkin, Fox, Hall, Hardy, Hartman, Killian, McCoy, McCracken, Meussdorffer, Moor of Benton, Morey, Richey, Stewart, Story, Thomas, Weed and Welch—17.

Nays—Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Durham, Dustin, Furry, Gambee, Hansard, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, Merritt, Miller, Minto, Moore of Washington, Myer, Mulkey, Reed, Shedd, Snider, Starr, Stephenson, Stillwell, Thompson, Tracy, Wilkins, Wright, and Mr. Speaker—38.

Absent—Messrs. Crook, Garfield, Littig, Montgomery and Paquet—5.

So the bill failed to pass.

House bill No. 289 was taken from the table.

The question being, "Shall the bill pass?" Mr. Welch moved that the bill be indefinitely postponed.

Carried.

Mr. Paquet asked unanimous consent to introduce a bill as chairman of the committee on ways and means.

Granted.

Mr. Paquet introduced house bill No 305:

"A bill for an act to provide for the ordinary expenses of the state government and general and specific appropriations."

Mr. Paquet moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Crook, Durham, Dustin, Fox, Furry, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Stephenson, Sewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Coleman, Gambee, Holmes, Littig, Montgomery and Starr—6.

So the rules were suspended, and the bill was read the first time by title and passed to a second reading without further question.

Mr. Paquet moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright and Mr. Speaker—51.

Nays—None.

Absent—Messrs. Baker, Crook, Gambee, Garfield, Manning, Miller, Montgomery, Myer and Shedd—9.

So the rules were suspended and the bill read the second time by title, and passed to a third reading without further question.

On motion of Mr. Paquet, the bill was ordered printed and made a special order for 11 o'clock A. M. to-morrow.

On motion of Mr. Hall, the house adjourned.

R. R. HAYS,
Chief clerk.

THURSDAY, FEBRUARY 19, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 19, 1891. }

The house was called to order at 9:30 o'clock A. M., Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Armstrong, Crook, Fox, Gambee, Garfield, McCall, Miller, Montgomery, Reed and Stewart.

The house was opened with prayer by Rev. Mr. Bollinger.

On motion of Mr. McCoy, the reading of the journal was dispensed with.

Mr. McCracken moved that senate bill No. 128 be taken up and put on its final passage.

Carried.

Senate bill No. 128 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Fuxry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—54.

Nays—Mr. Stephenson—1.

Absent—Messrs. Crook, Garfield, Manning, Montgomery and Wright—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

A communication was read from the citizens of Santiam, thanking the house for its action in the matter of the formation of a new county, to be known as Santiam county.

On motion, Mr. Garfield was excused for the remainder of the session.

The speaker submitted the following messages from the governor:

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
SALEM, Oregon,
February 19, 1891. }

To the Honorable the House of Representatives of the State of Oregon:

I herewith return house bill No. 98 with my dissent.

This bill appropriates out of the general fund the sum of \$8,000 for the building of a wagon road between "a point at the present terminus of the county road leading up Rogue river to the boundary line between Curry and Josephine counties." In short, it provides that money raised by general taxation shall be expended for local purposes. No general tax ought to be levied for any other purpose whatever than the general good. This rule, if not imposed by constitutional provision, is demanded by the requirements of justice. No man should be taxed by the government for the particular benefit of any other man, or of any one community. If the policy is ever established of appropriating money derived from general taxation for local and special purposes, and the flood-gates of extravagant expenditures are once opened for such purposes, it will indeed be a hard matter to ever close them down. And taxation for such purposes is as vicious in policy as it is unjust in principle. Conceding that taxes can be laid upon the people at large for the benefit of particular interests and localities, and our legislative halls will be at once transformed into commercial exchanges, and legislation for the general benefit will be blockaded or jeopardized by log-rolling combinations, the cohesive bond of which is the looting of the public treasury for local and special interests. No money derived from a tax laid upon the people should be appropriated for local benefit without a provision in the law which makes such appropriation, by which such money will be ultimately paid back into the treasury. With this provision no injustice is done to any taxpayer of any locality, as the state treasury will be reimbursed for all outlays for local purposes. The state

government was created for the general good alone, and taxes laid upon the people by it should be solely for general purposes.

SYLVESTER PENNOYER,
Governor.

On motion of Mr. Miller, the message was ordered printed and made a special order for 2 o'clock P. M. to-day.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
SALEM, Oregon,
February 19, 1891. }

To the Honorable, the House of Representatives of the State of Oregon:

I return house bill No. 160 with my dissent.

This bill grants to a private corporation a right of way and authority to construct a system of flumes for irrigating, manufacturing, and other purposes in Jackson county, Oregon. It authorizes the corporation to flume water from a point in the vicinity of the falls on Rogue river to the town of Central Point, Oregon, and to appropriate water of such river, and of any stream not already appropriated, which is reached or crossed by said flume. In this bill there is no express reservation of riparian rights, nor is there any guarantee to land-owners along the line of the flume needing water for irrigation that such water will be furnished them by the corporation, nor is there any limitation to the charges that may be made in the event that water should be so furnished them. This bill really gives to a private corporation the very valuable franchise of diverting water from its natural channels for a strictly private use, without regard to the rights of riparian owners, or the needs of those who may desire water for irrigation. This legislature has already enacted a statute (senate bill No. 4) authorizing the building of flumes for irrigation purposes, but carefully guarding riparian rights, and securing to the owners of lands adjacent the right to use water for irrigation at reasonable rates, and the Central Point Sugar Pine Flume Company can avail itself of its provisions and build their flume under the provisions of that general law.

I veto the bill.

SYLVESTER PENNOYER,
Governor.

On motion of Mr. Minto, the message was ordered printed and made a special order for 10 o'clock A. M. to-morrow.

On motion of Mr. Jennings, the house proceeded with the consideration of senate bills.

Senate bill No. 166 was read the first time and passed to second reading without question.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker :

Your committee on enrolled bills, to whom was referred house bill No. 118, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house bill No. 118, and subsequently announced that he had so signed.

Senate bill No. 225 was read the first time and passed to second reading without question.

Senate bill No. 175 was read the first time and passed to second reading without question.

Senate bill No. 204 was read the first time and passed to second reading without question.

Senate bill No. 220 was read the first time and passed to second reading without question.

Senate bill No. 21 was read the first time and passed to second reading without question.

Senate bill No. 223 was read the first time and passed to second reading without question.

The speaker submitted the following message from his excellency the governor:

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
SALEM, Oregon,
February 19, 1891. }

To the Honorable, the House of Representatives of the State of Oregon:

I return with my dissent house bill No. 39, entitled "An act to provide for the completion of the county road from the town of Dayville, in Grant county, Oregon, to Haystack valley, in Grant county, Oregon, and to appropriate money therefor."

Money derived from a general tax should not be appropriated for local purposes.

I veto the bill.

SYLVESTER PENNOYER,
Governor.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
SALEM, Oregon,
February 19, 1891. }

To the Honorable, the House of Representatives of the State of Oregon:

I return with my dissent house bill No. 26, entitled "An act to appropriate money to aid the county court of Wasco county in constructing a new grade over and across Tygh Mountain on the wagon-road leading from The Dalles to Barlow's Gate in Wasco county."

Money derived from a general tax should not be appropriated for local purposes.

I veto the bill.

SYLVESTER PENNOYER,
Governor.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
SALEM, Oregon,
February 19, 1891. }

To the Honorable, the House of Representatives of the State of Oregon:

I return with my dissent house bill No. 117, entitled "An act for the relief of Curry county and to appropriate money therefor."

Money derived from a general tax should not be appropriated for local purposes.

I veto the bill.

SYLVESTER PENNOYER,
Governor.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
SALEM, Oregon,
February 19, 1891. }

To the Honorable, the House of Representatives of the State of Oregon:

I return with my dissent house bill No. 62, entitled "An act to appropriate money to aid the county courts of Jackson and Klamath counties to construct and repair a wagon-road from a point near Xenia, in Klamath county, to the Soda Springs, on the old wagon-road leading from Ashland to Linkville."

Money derived from a general tax should not be appropriated for local purposes.

I veto the bill.

SYLVESTER PENNOYER,
Governor.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
SALEM, Oregon,
February 19, 1891. }

To the Honorable, the House of Representatives of the State of Oregon:

I return with my dissent house bill No. 68, entitled "An act entitled an act to appropriate money to aid the county court of Douglas county to construct a wagon road from the town of Gardiner to the Lane county line."

Money derived from a general tax should not be appropriated for local purposes.

I veto the bill.

SYLVESTER PENNOYER,
Governor.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
SALEM, Oregon,
February 19, 1891. }

To the Honorable, the House of Representatives of the State of Oregon:

I return with my dissent house bill No. 43, entitled "An act to appropriate money to aid the county courts of Jackson and Klamath counties to construct and repair a wagon road from Eagle Point, in Jackson county, Oregon, by way of the Rogue river route, to Fort Klamath, in Klamath county, Oregon."

Money derived from a general tax should not be appropriated for local purposes.

I veto the bill.

SYLVESTER PENNOYER,
Governor.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
SALEM, Oregon,
February 19, 1891. }

To the Honorable, the House of Representatives of the State of Oregon:

I return with my dissent house bill No. 92, entitled "An act to appropriate money to aid the county courts of Baker and Union

counties to construct a wagon road from a point in the old Immigrant road near the Virtue mine, in Baker county, to a point on Snake river where Pine Lake creek empties into it, and to appropriate money therefor."

Money derived from a general tax should not be appropriated for local purposes.

I veto the bill.

SYLVESTER PENNOYER,
Governor.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
SALEM, Oregon,
February 19, 1891. }

To the Honorable, the House of Representatives of the State of Oregon:

I return with my dissent house bill No. 124, entitled "An act appropriating money to aid Crook county in constructing a wagon road from Mitchell, in said county of Crook, to the county line between Wasco and Crook counties."

Money derived from a general tax should not be appropriated for local purposes.

I veto the bill.

SYLVESTER PENNOYER,
Governor.

Senate bill No. 97 was read the first time and passed to second reading without question.

Senate bill No. 1 was read the first time; and on motion of Mr. Miller to indefinitely postpone, the ayes and noes being called for, the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Crook, Durham, Hall, Hartman, Jennings, Johnston, Lamson, Leeper, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Paquet, Reed, Snider, Starr, Stillwell, Story, Thomas, Weed, Wilkins, and Mr. Speaker—34.

Nays—Messrs. Barnes, Butler, Coleman, Dustin, Fox, Furry, Gambia, Hansard, Hardy, Henry, Holmes, McAlister, Mulkey, Myer, Richey, Shedd, Stephenson, Thompson and Tracy—19.

Absent—Messrs. Garfield, Killian, Littig, Montgomery, Stewart, Welch and Wright—7.

So the bill was indefinitely postponed.

Senate bill No. 214 was read the first time and passed to second reading without question.

Senate bill No. 20 was read the first time and passed to second reading without question.

Senate bill No. 157 was read the first time and passed to second reading without question.

Senate bill No. 169 was read the first time and passed to second reading without question.

Senate bill No. 185 was read the first time and passed to second reading without question.

Senate bill No. 224 was read the first time and passed to second reading without question.

Senate bill No. 196 was read the first time and passed to second reading without question.

Senate bill No. 180 was read the first time and passed to second reading without question.

Senate bill No. 188 was read the first time and passed to second reading without question.

Senate bill No. 116 was read the first time and passed to second reading without question.

Senate bill No. 226 was read the first time and passed to second reading without question.

Senate bill No. 114 was read the first time and passed to second reading without question.

Senate bill No. 55 was read the first time and passed to second reading without question.

Senate bill No. 190 was read the first time and passed to second reading without question.

Senate bill No. 217 was read the first time and passed to second reading without question.

Senate bill No. 211 was read the first time and passed to second reading without question.

The house then proceeded to the second reading of senate bills as the next order of business.

SECOND READING OF SENATE BILLS.

Senate bill No. 49 coming on for a second reading, was read a second time and passed to third reading without question.

Senate bill No. 186 coming on for a second reading, was read a second time and passed to third reading without question.

Senate bill No. 121 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 34 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 208 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 210 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 63 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 209 coming on for second reading, was read the second time and passed to third reading without question.

Senate bill No. 109 coming on for second reading, was read the second time and passed to third reading without question.

THIRD READING OF SENATE BILLS.

Senate bill No. 135 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Dustin, Furry, Gambia, Hall, Hansard, Hardy, Hartman, Henry, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—46.

Nays—Messrs. Durham and Stephenson—2.

Absent—Messrs. Blundell, Fox, Garfield, Holmes, Littig, Manning, Merritt, Miller, Montgomery, Myer, Reed and Thompson—12.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bill No. 25 is reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.
O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bill No. 25, and soon after announced that he had so signed.

House bill No. 70 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—49.

Nays—Mr. Welch—1.

Absent—Messrs. Blundell, Garfield, Hall, Littig, Merritt, Miller, Montgomery, Myer, Reed and Thompson—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on judiciary submitted the following reports:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 14, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred senate bill No. 51, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

Mr. Welch moved to indefinitely postpone senate bill No. 107.

Lost.

Senate bill No. 107 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Furry, Gambee, Jennings, Johnston, Killian, Leeper, McCall, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Paquet, Snider, Starr, Stephenson, Stewart, Story, Thomas, Thompson, Weed, Wilkins, Wright, and Mr. Speaker—32.

Nays—Messrs. Barrett, Fox, Hall, Hansard, Hartman, Henry, Holmes, Lamson, Manning, Morey, Mulkey, Stillwell, Tracy and Welch—14.

Absent—Messrs. Armstrong, Baker, Crook, Garfield, Hardy, Littig,

McAlister, McCoy, Miller, Montgomery, Myer, Reed, Richey and Shedd—14.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bill No. 30, house concurrent resolution No. 24, and house joint resolution No. 9.

And the same are herewith returned to you.

O. P. MILLER,
Chief clerk.

Senate bill No. 150 coming on for third reading, Mr. Barnes moved that the bill be recommitted to the committee on agriculture.
Lost.

Senate bill No. 150 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barrett, Blundell, Botkin, Butler, Coleman, Dustin, Fox, Furry, Gambee, Hartman, Johnston, McCall, Minto, Moor of Benton, Morey, Richey, Starr, Stillwell, Story, Wilkins, Wright, and Mr. Speaker—22.

Nays—Messrs. Baker, Barnes, Crook, Durham, Hall, Hansard, Henry, Jennings, Killian, Lamson, Leeper, Manning, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moore of Washington, Mulkey, Myer, Reed, Snider, Stephenson, Stewart, Thomas, Thompson, Tracy and Welch—28.

Absent—Messrs. Armstrong, Garfield, Hardy, Holmes, Littig, McAlister, Montgomery, Paquet, Shedd and Weed—10.

So the bill failed to pass.

Senate bill No. 184 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Botkin, Butler, Coleman, Crook, Durham, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson,

Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—51.

Nays—Messrs. Dustin and Stephenson—2.

Absent—Messrs. Barrett, Hardy, Littig, Miller, Montgomery, Paquet and Weed—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 164 coming on for third reading, Mr. Wright moved to lay the bill on the table.

Carried.

Senate bill No. 102 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hansard, Henry, Holmes, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—51.

Nays—Mr. Jennings—1.

Absent—Messrs. Hall, Hardy, Hartman, Johnston, Littig, Miller, Montgomery and Paquet—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 174 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Botkin, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Henry, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Baker, Blundell, Butler, Hardy, Hartman, Holmes, Littig, Montgomery, Snider and Thomas—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker announced that the special order for this hour was the consideration of house bill No. 305.

Mr. Paquet moved that the house go into committee of the whole for the consideration of house bill No. 305.

Carried.

On motion, Mr. Barrett was made chairman of the committee of the whole house.

Mr. Paquet moved that the bill be read, then considered section by section.

Carried.

The committee of the whole house submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 19, 1891. }

Mr. Speaker:

Your committee of the whole house, to whom was referred house bill No. 305, beg leave to report that they have had the same under consideration, and would respectfully report progress and ask for further time to consider said matter.

W. N. BARRETT,
Chairman.

On motion of Mr. Barrett, the report was adopted.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, Oregon, }
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the adoption of house concurrent resolution No. 25.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bill No. 118.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

On motion of Mr. Hansard, the house adjourned.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 19, 1891. }

The house was called to order at 1:30 o'clock P. M., Mr. Speaker in the chair. -

The roll was called.

All the members were present except Messrs. Baker, Butler, Garfield, Hartman, Johnston, Littig, Merritt, Montgomery, Paquet and Richey.

Mr. Miller moved to reconsider the vote on senate concurrent resolution No. 12.

Carried.

On motion, the clerk was ordered to request the senate to return senate concurrent resolution No. 12, for the purpose of amendment.

Mr. McCoy moved that the house resolve itself into the committee of the whole for the further consideration of house bill No. 305.

Carried.

The speaker called Mr. Barrett to the chair.

The committee of the whole submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 19, 1891. }

Mr. Speaker:

Your committee of the whole house, to whom was referred house

bill No. 305, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

W. N. BARRETT,
Chairman.

On motion of Mr. Barrett, the report was adopted.

Mr. Paquet moved that house bill No. 305 be considered engrossed and put on its third reading now.

Carried.

House bill No. 305 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Crook, Durham, Furry, Gambee, Garfield, Hansard, Hartman, Henry, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Paquet, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—44.

Nays—Messrs. Coleman, Dustin, Killian, Stephenson and Thompson—5.

Absent—Messrs. Barnes, Fox, Hall, Hardy, Holmes, Littig, Miller, Montgomery, Mulkey, Reed and Wright—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Dustin introduced house joint resolution No. 12, and moved its adoption:

HOUSE JOINT RESOLUTION NO. 12.

Whereas the stock inspectors and their deputies should be provided with the law prescribing their duties, etc.; therefore be it

Resolved by the House, the Senate concurring:

That the secretary of state be and is hereby authorized and directed to compile and cause to be printed twenty-five hundred copies of the laws of Oregon prescribing the duties, etc., of the stock inspectors, and cause the same to be distributed among the various stock inspectors of the state, who shall furnish the sheep-growers of their respective counties with copies of the same.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Furry, Gambee, Garfield, Hansard,

Hartman, Henry, Holmes, Johnston, Killian, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Paquet, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—43.

Nays—Messrs. Barnes, Jennings, Lamson, Leeper, Reed, Richey and Shedd—7.

Absent—Messrs. Crook, Fox, Hall, Hardy, Littig, Manning, Montgomery, Mulkey, Story and Wilkins—10.

So the resolution was adopted.

Mr. Thomas introduced house concurrent resolution No. 26:

HOUSE CONCURRENT RESOLUTION NO. 26.

Resolved by the House, the Senate concurring :

That each and every clerk of all standing and special committees be and is hereby instructed and commanded to report at once to the chairmen of the enrolling committees in the senate and house—the clerks of senate committees to the chairman of the senate enrolling committee, and the clerks of house committees to the chairman of the house enrolling committee; and that all of said clerks be at once put to work enrolling bills, or be held in readiness to do such enrolling when necessary, under the direction and control of said chairmen of said enrolling committees.

Mr. Thomas moved that the resolution be adopted.

Carried.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker :

I am directed by the president to return to you senate concurrent resolution No. 12.

And the same is herewith transmitted to you, for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Miller moved to amend senate concurrent resolution No. 12 by fixing the time for adjournment at 10:15 o'clock A. M., Saturday, February 21.

Carried.

The governor's message being a special order for this hour, Mr. Miller moved that the message be laid on the table.

Carried.

Senate bill No. 151 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Butler, Botkin, Coleman, Durham, Fox, Furry, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Barnes, Crook, Dustin, Hall, Hardy, Littig, Manning, Montgomery, Mulkey and Story—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 201 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Fox, Furry, Gambee, Garfield, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Crook, Dustin, Hall, Hardy, Manning, Meussdorffer, Montgomery, Mulkey, Story and Thomas—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 119 coming on for third reading, Mr. Miller moved that the bill be laid on the table.

Carried.

Senate bill No. 43 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, But-

ler, Coleman, Durham, Fox, Furry, Gambee, Hansard, Hartman, Henry, Holmes, Lamson, Littig, McAlister, McCall, McCoy, McCracken, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Reed, Richey, Snider, Starr, Stillwell, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—39.

Nays—Messrs. Jennings, Killian, Leeper, Merritt, Shedd, Stephenson and Thompson—7.

Absent—Messrs. Crook, Dustin, Garfield, Hall, Hardy, Johnston, Manning, Meussdorffer, Montgomery, Mulkey, Myer, Paquet, Stewart and Story—14.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 155 was read the third time.

The question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Fox, Furry, Gambee, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Leeper, Littig, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—46.

Nays—None.

Absent—Messrs. Crook, Dustin, Garfield, Hardy, Lamson, Manning, Meussdorffer, Montgomery, Myer, Mulkey, Paquet, Reed, Stewart and Story—14.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 88 coming on for third reading, Mr. Thomas moved that it be referred to the committee on railways and transportation.

Carried.

Senate bill No. 144 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Fox, Furry, Gambee, Hansard, Hartman, Holmes, Johnston, Killian, Lamson, Littig, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Paquet, Richey, Starr, Stillwell, Thomas, Thompson, Weed, Wright, and Mr. Speaker—36.

Nays—Messrs. Hall, Jennings, Leeper, McAlister, Shedd, Snider, Stephenson, Tracy and Welch—9.

Absent—Messrs. Crook, Dustin, Garfield, Hardy, Henry, Manning, Meussdorffer, Montgomery, Morey, Mulkey, Myer, Reed, Stewart, Story and Wilkins—15.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the house amendment to senate concurrent resolution No. 12 with the following amendment:

AMENDMENT.

That the sixteenth regular session adjourn *sine die* on Saturday, February 21, at 10:15 o'clock A. M.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Miller, the house concurred in the senate amendments.

The governor's veto messages being the special order for this hour, Mr. Miller moved that they be laid on the table.

Carried.

Senate bill No. 146 coming on for third reading, Mr. Hall moved that the bill be referred to the committee on judiciary, with leave to report at any time.

Carried.

Senate bill No. 145 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hartman, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Mulkey, Paquet, Richey, Shedd, Snider,

Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—52.

Nays—Mr. Jennings—1.

Absent—Messrs. Garfield, Hardy, Montgomery, Morey, Myer, Reed and Welch—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 154 was read the third time.

Mr. Thomas moved that the bill be referred to the committee on judiciary, with leave to report at any time.

Carried.

Senate bill No. 147 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Durham, Dustin, Fox, Gambee, Hardy, Hartman, Jennings, Johnston, Lamson, Leeper, McCoy, McCracken, Meussdorffer, Miller, Minto, Moor of Benton, Morey, Myer, Mulkey, Paquet, Richey, Snider, Starr, Stephenson, Stillwell, Wilkins, and Mr. Speaker—32.

Nays—Messrs. Armstrong, Coleman, Crook, Furry, Hall, Hansard, Henry, Holmes, Killian, Littig, McAlister, McCall, Merritt, Moore of Washington, Reed, Shedd, Stewart, Story, Thomas, Thompson, Tracy, Weed, Welch and Wright—24.

Absent—Messrs. Butler, Garfield, Manning and Montgomery—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 177 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Dustin, Fox, Furry, Hall, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Barnes, Durham, Gambee, Garfield, Hansard, Hardy, Littig, McAlister, Montgomery, Stillwell and Wright—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Story, the courtesies of the house were extended to Hon. L. Therkelsen.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has refused to concur in house concurrent resolution No. 26.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

The committee on railways and transportation submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

Your committee on railroads and transportation, to whom was referred senate bill No. 88, beg leave to report the same back to the house and recommend that it do pass.

H. B. MILLER,
Chairman.

On motion of Mr. Miller, the report was adopted.

Senate bill No. 88 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Coleman, Crook, Hardy, Holmes, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moore of Washington, Morey, Myer, Mulkey, Richey, Shedd, Snider, Stephenson, Stewart, Story, Thompson, Weed, Wilkins, and Mr. Speaker—30.

Nays—Messrs. Blundell, Botkin, Butler, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hartman, Henry, Jennings, Johnston, Killian, Lamson, Leeper, McAlister, Moor of Benton, Paquet, Reed, Starr, Stillwell, Thomas, Tracy, Welch and Wright—27.

Absent—Messrs. Garfield, Littig and Montgomery—3.

So the bill failed to pass.

The speaker submitted the following message:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 28.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 161, with the following amendment hereto attached.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. President:

Your committee on corporations, to whom was referred house bill No. 161, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out all of that part of section 2, on page 3, line 9, engrossed bill, after the word "repair," and insert the following: *provided*, that said company shall carry free of charge the members of the state board for the management of the asylum, the superintendent, assistant physicians, steward, bookkeeper, and one mail carrier of the asylum, superintendent, wardens, bookkeeper, and one mail carrier of the penitentiary.

S. B. EAKIN, JR.,
Chairman.

On motion of Mr. Moor of Benton, the house concurred in the amendment.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 36.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 11.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 45 with the following amendment:

AMENDMENT.

In line 6, section 1, strike out the words "not a toll road."

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. McCoy, the house concurred in the amendment.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 211 with the following amendment hereto attached.

AMENDMENT.

Amend section 1, by adding after the word "nuisance," on line 1, section 1, printed bill, the words "approved February 25, 1889."

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Moor of Benton, the house concurred in the amendment.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 69 with amendments hereto attached.

And the same is herewith returned to you for enrollment [?].

O. P. MILLER,
Chief clerk.

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1891. }

Mr. President:

Your special committee, consisting of the senators from the first and seventh judicial districts, to whom was referred senate bill No. 69, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

At the end of section 3, add the following: *provided, however, that one of said judges shall reside east of the Cascade range of mountains, and the other west of said range of mountains, during their term of office.*

AMENDMENT.

At the end of section 4 add: and shall reside east of the Cascade range of mountains during his term of office.

AMENDMENT.

By adding another section, as follows:

Section 6. The duties and judicial labors of the judge provided for by this act, in addition to those already enumerated in section 3 hereof, shall be to hold such terms of court and perform such other judicial duties, in any of the judicial districts of this state other than the first, as may be required of him by the governor of this state; *provided, that when such duties are required of him in any judicial district of this state other than the first, the county judge of the county wherein such duties are required shall make an application to the governor, stating the reason and the necessity of such duties, and the governor may in his discretion thereupon direct said judge to go and perform the same.*

C. A. COGSWELL,
Chairman.

Mr. Thomas moved that the clerk be instructed to insert the enacting clause in the bill.

Carried.

On motion of Mr. McCall, the house concurred in the senate amendments.

Senate bill No. 206 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—52.

Nays—Messrs. Lamson, Myer, Stephenson and Thompson—4.

Absent—Messrs. Garfield, Hall, Littig and Montgomery—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bill No. 70, with the following amendments, hereto attached.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1891. }

Mr. President :

Your committee on elections, to whom was referred senate bill No. 70, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

Amend section 1, in line 6, by inserting the words "of said road" after the word "viewers."

AMENDMENT.

Strike out all after the word "road" in line 10, printed bill.

H. E. CROSS,
Chairman.

On motion of Mr. Stephenson, the amendments were adopted.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker :

Your committee on enrolled bills, to whom was referred house

bill No. 28, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house bill No. 28, and soon after stated that he had so signed.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house amendment to the senate amendment to house bill No. 69.

O. P. MILLER,
Chief clerk.

Senate bill No. 83 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hansard, Hardy, Hartman, Henry, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Blundell, Garfield, Hall, Holmes, Jennings, Littig, Montgomery, Reed, Stewart, Welch and Wright—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following:

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
SALEM, Oregon,
February 19, 1891. }

To the Honorable the Senate and House of Representatives of Oregon:

Under section 2, article 8, of our state constitution, it is stipulated

among other moneys, that "all the proceeds of the five hundred thousand acres of land to which this state is entitled from the federal government, and also the five per centum of the net proceeds of the sales of the public lands to which this state shall become entitled on her admission into the Union," shall be set apart as a separate and irreducible fund, to be called the common school fund, the interest of which, together with all other revenues derived from the school land mentioned in this section, shall be exclusively applied to the support and maintenance of common schools in each school district, and the purchase of suitable libraries and apparatus therefor," "if congress shall consent to such appropriation of the two grants." Congress has already given its assent to such division of the proceeds of the five hundred thousand acres of land, but it cannot be ascertained that it has ever given its assent to such division of the five per centum of the net proceeds of the sales of public lands. I, therefore, ask that this legislature, in obedience to the plain intent of the framers of our state constitution, and in behalf of the more than one hundred thousand school children of this state, should instruct our delegation in congress to procure from it its assent to the appropriation of the five per centum of the net proceeds of the sales of public lands to the common school fund of this state.

SYLVESTER PENNOYER,
Governor.

Mr. Miller moved that the message be referred to a select committee of three, to be appointed by the chair.

Carried.

The speaker submitted the following message:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 25.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

Senate bill No. 134 coming on for third reading, Mr. Merritt moved that the clerk be ordered to make the following changes:

Section 1, change the name of J. Wisdom to J. L. Wisdom.

Section 3, change the name of W. H. West to W. W. West.

In section 15, change four-sevenths and three-sevenths to five-sevenths and two-sevenths.

Carried, and the clerk made the changes as ordered.

Senate bill No. 134 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Crook, Durham, Dustin, Fox, Furry, Gambee, Hardy, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Myer, Reed, Richey, Snider, Starr, Stewart, Stillwell, Story, Thomas, Weed, Welch, Wright, and Mr. Speaker—41.

Nays—Messrs. Coleman, Hansard, Hartman, Henry, Holmes, Jennings, Killian, Minto, Mulkey, Paquet, Shedd, Stephenson, Thompson, Tracy and Wilkins—15.

Absent—Messrs. Garfield, Hall, Montgomery and Morey—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the adoption of house concurrent resolution No. 19.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 119 with the following amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

AMENDMENT.

Amend section 9, subdivision 3, page 2, line 8 of printed bill, by striking out the word "fifteen" and inserting in lieu thereof the word "five."

AMENDMENT.

Strike out of section 9, subdivision 5, page 2, line 11 of printed bill, the word "eighteen" and insert in lieu thereof the word "fifteen."

AMENDMENT.

Strike out of section 9, subdivision 6, page 2, line 14 of printed bill, the word "sixty" and insert in lieu thereof the word "forty."

AMENDMENT.

Strike out of section 9, subdivision 12, page 2, line 24 of printed bill, the words "eight hundred and forty" and insert in lieu thereof the words "seven hundred and eighty."

AMENDMENT.

Strike out of section 9, subdivisions 13, 14, and 15, page 3, lines 26, 27, 28, and 29 of printed bill.

Mr. Hall moved that house bill No. 119 with amendments be referred to the Multnomah delegation, with leave to report at any time.

Carried.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891.

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the adoption of house joint resolution No. 12.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

The chair appointed as a special committee to consider the governor's message, Messrs. Miller, Paquet and Coleman.

Senate bill No. 173 was read the third third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Hansard, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Gambee, Garfield, Hall, Hardy, Hartman, Montgomery, Stewart and Tracy—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 33 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins, and Mr. Speaker—51.

Nays—Mr. Snider—1.

Absent—Messrs. Crook, Gambee, Garfield, Hall, Hardy, Montgomery, Tracy and Wright—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 98 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Hansard, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart,

Stillwell, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Crook, Gambee, Garfield, Hall, Hardy, Henry, Miller, Montgomery, Story and Thomas—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 140 was read the third time.

Mr. Hall moved that the bill be indefinitely postponed.

Carried.

On motion of Mr. Welch, the house adjourned.

HALL OF REPRESENTATIVES,
 SALEM, Oregon,
 February 19, 1891.

The house was called to order at 7:30 o'clock P. M., Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Garfield, Hall, McAlister, Minto, Montgomery and Shedd.

Mr. Miller moved that the rules be suspended and the house return to the introduction and first reading of house bills.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Butler, Crook, Durham, Dustin, Fox, Furry, Hardy, Hartman, Henry, Johnston, Lamson, Leeper, Littig, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—43.

Nays—Messrs. Barrett, Botkin, Coleman, Gambee, Hansard, Holmes, Jennings, Killian, McAlister, Myer, Shedd and Thompson—12.

Absent—Messrs. Garfield, Hall, Minto, Montgomery and Wright—5.
 So the rules were suspended.

Mr. Miller introduced house bill No. 306:

"A bill for an act entitled an act to aid the county courts of Wallowa, Baker, Malheur, Harney, Grant, Wasco, Crook, Columbia,

Clatsop, Washington, Tillamook, Clackamas, Union, Linn, Lane, Yamhill, Benton, Josephine, Douglas, Curry, Jackson and Klamath counties in the construction and repair of county roads, and to appropriate money therefor."

The bill was read the first time by title and passed to its second reading without question.

Mr. Miller moved that the rules be suspended and the bill read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Butler, Butler, Crook, Dustin, Fox, Furry, Hardy, Hartman, Henry, Johnston, Lamson, Leeper, Littig, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—41.

Nays—Messrs. Barrett, Botkin, Coleman, Durham, Gambee, Hansard, Holmes, Jennings, Killian, McAlister, Myer, Shedd, Thompson and Wright—14.

Absent—Messrs. Blundell, Garfield, Hall, Minto and Montgomery—5.

So the rules were suspended, the bill read the second time by title and passed to third reading without further question.

Mr. Miller moved that the bill be considered engrossed and put on its final passage.

Carried.

Mr. Coleman moved to amend by striking out Lane county.

Lost.

On the question of suspension of the rules and putting the bill on its final passage, the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Blundell, Butler, Crook, Dustin, Fox, Furry, Hardy, Hartman, Henry, Johnston, Lamson, Leeper, Littig, Manning, McCall, McCoy, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—41.

Nays — Messrs. Armstrong, Barrett, Botkin, Coleman, Durham, Gambee, Hall, Hansard, Holmes, Jennings, Killian, McAlister, McCracken, Moore of Washington, Myer, Shedd and Tracy—17.

Absent—Messrs. Garfield and Montgomery—2.

So the rules were suspended.

House bill No. 306 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Butler, Crook, Dustin, Fox, Furry, Hardy, Hartman, Henry, Johnson, Lamson, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Weed, Welch, Wilkins, Wright, and Mr. Speaker—40.

Nays—Messrs. Armstrong, Baker, Barrett, Botkin, Coleman, Durham, Gambee, Hall, Hansard, Holmes, Jennings, Killian, Leeper, Moore of Washington, Myer, Shedd, Thompson and Tracy—18.

Absent—Messrs. Montgomery and Garfield—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bill No. 28.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

Moved that the house take up the third reading of senate bills.

Carried.

The committee consisting of the Multnomah delegation, with leave to report at any time, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

Your committee, the Multnomah county delegation, to whom was referred house bill No. 119, beg leave to report that they have had the same under consideration, and would respectfully report it

back to the house with the recommendation that it do concur in the senate amendments as reported to the house this date.

GEO. L. STORY,
Chairman.

On motion of Mr. Story, the report was adopted and the house concurred in the senate amendments to house bill No. 119.

Mr. Durham moved to reconsider the vote by which senate bill No. 70 passed the house.

Carried.

Mr. Thomas moved that the chief clerk be instructed to recall senate bill No. 70 from the senate.

Carried.

Senate bill No. 84 was read the third time.

On motion of Mr. Hall, the bill was referred to the committee on judiciary, with leave to report at any time.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills Nos. 24, 35, 43, 59, 68, 70, 91, 102, 107, 122, 128, 135, 139, 170, 174, 198, 212, and 222 are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 24, 35, 43, 59, 68, 91, 102, 107, 122, 128, 135, 139, 170, 174, 198, 212 and 222, and soon after stated that he had so signed.

The committee on judiciary, with leave to report at any time, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred senate bill No. 154, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house

with the recommendation that it do pass with the following amendment:

AMENDMENT.

After the word "indexed," on line 3, page 2 of printed bill, insert the following: Inasmuch as there is no such office as county clerk in Multnomah county, all acts to be performed by the county clerk in this act shall be performed by the recorder of conveyances in said Multnomah county.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report with amendment was adopted. House bill No. 154 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Fox, Furry, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—48.

Nays—Mr. Dustin—1.

Absent—Messrs. Crook, Durham, Gambee, Garfield, Killian, Littig, Manning, Miller, Montgomery, Stewart and Wright—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 70 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Coleman, Dustin, Miller, Paquet, Weed and Wilkins—11.

Nays—Messrs. Butler, Fox, Furry, Gambee, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Littig, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Welch, and Mr. Speaker—37.

Absent—Messrs. Botkin, Crook, Durham, Garfield, Hall, Killian, Manning, Montgomery, Reed, Richey, Stewart and Wright—12.

So the bill failed to pass.

Senate bill No. 159 was read the third time.

On motion of Mr. McCoy, the bill was referred to the committee on judiciary, with leave to report at any time.

Senate bill No. 219 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Fox, Hansard, Hardy, Henry, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stewart, Story, Tracy, Weed, Welch, Wright, and Mr. Speaker—39.

Nays—Messrs. Coleman, Dustin, Furry, Gambee, Hall, Holmes, Jennings, Johnston, Morey, Stephenson, Stillwell, Thomas and Thompson—13.

Absent—Messrs. Crook, Garfield, Hartman, Killian, Montgomery, Myer, Shedd and Wilkins—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 138 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Hall, Hansard, Hardy, Henry, Jennings, Lamson, Leeper, Littig, Manning, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Snider, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—44.

Nays—Messrs. Starr and Stephenson—2.

Absent—Messrs. Baker, Crook, Gambee, Garfield, Hartman, Holmes, Johnston, Killian, McAlister, McCall, Miller, Montgomery, Myer and Shedd—14.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has

passed house bill No. 305 with the following amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

AMENDMENT.

Add to section 2 the following: For rogues' gallery state penitentiary, \$600.

AMENDMENT.

Add to section 2 the following item: For the purchase of the electric-light plant which now supplies the several state buildings, and of the contract for electric lighting under the act of November 30, 1885, such purchase to be made in accordance with the instructions of this legislative assembly, \$10,000.

AMENDMENT.

Amend the last line of section 13, the same being line 18 of section 13 of the printed bill, so as to read as follows: For cells for the state penitentiary, \$14,000.

AMENDMENT.

Add to section 19 the following words: It is further enacted and provided, that the appropriation in the foregoing act of ten thousand dollars for lighting public buildings, act of November 30, 1885, be applied to the maintenance and improvement of the electric-light service for state institutions; *provided*, the electric-light plant which now supplies the several state buildings be purchased by the state, otherwise such appropriation shall be used in accordance with the said act of November 30, 1885.

On motion of Mr. Paquet, the house concurred in all the amendments except the one relating to the purchase of the electric-light plant.

On motion, the house concurred in all the senate amendments to house bill No. 305.

The committee on judiciary, with leave to report at any time, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February —, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred senate bill

No. 159, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

After the word "fifty," on line 19 of engrossed bill, insert the word "dollars."

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report with amendment was adopted. Senate bill No. 159 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barrett, Blundell, Botkin, Butler, Crook, Durham, Fox, Gambee, Hall, Hardy, Hartman, Henry, Johnston, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Paquet, Reed, Snider, Starr, Stewart, Stillwell, Thomas, Tracy, Weed, Welch, and Mr. Speaker—34.

Nays—Messrs. Barnes, Coleman, Dustin, Furry, Hansard, Holmes, Jennings, Killian, Lamson, Leeper, Manning, McCall, Mulkey, Myer, Shedd, Stephenson, Thompson and Wilkins—18.

Absent—Messrs. Armstrong, Garfield, Littig, McAlister, Montgomery, Richey, Story and Wright—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 19, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bills Nos. 45 and 70, house joint resolution No. 12, and house concurrent resolutions Nos. 23 and 25, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house bills Nos. 45 and 70, house joint resolution No. 12, and house concurrent resolutions Nos. 23 and 25, and soon after stated that he had so signed.

Mr. Hansard moved to reconsider the vote by which senate bill No. 88 was lost.

Mr. Hall moved to table the motion.

Carried.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 306.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

On motion of Mr. Moor of Benton, the house adjourned.

R. R. HAYS,
Chief clerk.

FRIDAY, FEBRUARY 20, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 20, 1891. }

The house was called to order at 9:30 o'clock A. M., Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Crook, Garfield, Jennings, Montgomery, Moor of Benton, Reed, Richey and Welch.

On motion of Mr. Killian, the reading of the journal was dispensed with.

The speaker submitted the following messages from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has

concurred in house concurrent resolution No. 22 with the following amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

AMENDMENT.

Insert after the word "Oregon," in line 28, page 2, the words "including the wars of 1855 and 1856."

AMENDMENT.

After the word "and," in line 28, page 2, insert the words "a brief sketch."

AMENDMENT.

Strike out lines 3 and 14, page 3.

AMENDMENT.

Strike out the words "Mrs. Francis Fuller Victor," in lines 17 and 18, page 3.

AMENDMENT.

Strike out lines 13, 14, 15, 16 and 17, of page 4.

On motion of Mr. Moor of Benton, the house concurred in the amendments.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has concurred in the adoption of the house amendments to senate bill No. 134.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has

concurred in the adoption of the house amendments to senate bill No. 154.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 19, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills Nos. 85, 130, 133, 142, 144, 184, 201 and 213, and senate joint resolution No. 10 are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 85, 130, 133, 142, 144, 184, 201 and 213, and senate joint resolution No. 10, and subsequently thereafter that he had signed the same.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills Nos. 182, 151, 147, 145, 83, 206 and 155, are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 182, 151, 147, 145, 83, 206 and 155, and soon thereafter that he had so signed.

Mr. Story introduced the following resolution, and moved its adoption:

HOUSE RESOLUTION NO. 50.

Whereas there has been twenty-five per cent more work transacted by this house than there was two years ago; therefore, be it

Resolved, That the chief clerk be allowed fifteen and not to exceed twenty days' extra time with suitable assistance in which to complete the journal, and compare the journal and calendar, and to finish the work of the house.

Resolution adopted.

Mr. Holmes introduced the following resolution, and moved its adoption:

HOUSE RESOLUTION NO. 51.

Whereas the work of the chief clerk having accumulated so as to necessitate working all night by himself and assistant, and with the speaker's consent he has employed J. C. C. Lewis as a further assistant for the past ten days; therefore, be it

Resolved, That the special committee for the fixing of salaries for clerks and officers of the house shall place said Lewis on their list for like pay, as assistant clerk, for the time he has worked, and turn said time and rate in with that of the other officers of the house.

Resolution adopted.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 146.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

The speaker announced that the regular order of business was the third reading of senate bills.

THIRD READING OF SENATE BILLS.

Senate bill No. 123 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Hall, Hardy, Hartman, Johnston, Lamson, Leeper, Littig, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Morey, Paquet, Reed, Snider, Starr, Stewart, Story, Thomas, Weed and Welch—31.

Nays—Messrs. Coleman, Dustin, Furry, Gambee, Hansard, Henry, Holmes, Jennings, Killian, Minto, Moore of Washington, Mulkey, Myer, Richey, Shedd, Stephenson, Stillwell, Thompson, Wilkins, and Mr. Speaker—20.

Absent—Messrs. Armstrong, Crook, Durham, Fox, Garfield, Manning, Montgomery, Tracy and Wright—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 16 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Weed, Welch, Wilkins, and Mr. Speaker—50.

Nays—Mr. Stephenson—1.

Absent—Messrs. Fox, Garfield, Hardy, Miller, Montgomery, Myer, Richey, Tracy and Wright—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 44 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Dustin, Furry, Gambee, Hansard, Hartman, Holmes, Jennings, Killian, Lamson, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Richey, Snider, Stephenson, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—38.

Nays—Messrs. Blundell, Durham, Fox, Hall, Henry, Johnston, Leeper, Littig, Manning, McAlister, Miller, Morey, Reed, Shedd, Starr, Stillwell and Story—17.

Absent—Messrs. Crook, Garfield, Hardy, Montgomery and Stewart—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 105 coming on for third reading, on motion of Mr. Hall a call of the house was ordered.

The clerk called the roll.

Those present were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson,

Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—53.

Those absent were:

Messrs. Blundell, Garfield, Hardy, Littig, Montgomery, Stewart and Wright—7.

The sergeant-at-arms returned in a short time with the absent members.

On motion of Mr. Barrett, the further call of the house was dispensed with.

Senate bill No. 105 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Butler, Durham, Dustin, Fox, Furry, Gambee, Hall, Hardy, Hartman, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Reed, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed and Welch—40.

Nays—Messrs. Barnes, Botkin, Coleman, Crook, Hansard, Henry, Holmes, Jennings, Killian, Minto, Mulkey, Paquet, Richey, Shedd, Wilkins, and Mr. Speaker—16.

Absent—Messrs. Garfield, Montgomery, Stewart and Wright—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 290.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 59.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

Mr. Miller introduced house joint resolution No. 13, and moved its adoption:

HOUSE JOINT RESOLUTION NO. 13.

Resolved by the House, the Senate concurring:

That a joint convention of the house and senate be held in the house on Friday, February 20, 1891, at the hour of 11:30 o'clock A. M., for the purpose of electing the several commissioners required to be elected in joint convention by the legislative assembly.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, Littig, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Snider, Starr, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—48.

Nays—Messrs. Gambee, Killian, Shedd and Stephenson—4.

Absent—Messrs. Armstrong, Garfield, Manning, Meussdorffer, Montgomery, Sewart, Stillwell and Wright—8.

So the resolution was adopted.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the house amendments to senate bill No. 123, and has amended the title as follows:

AMENDMENT.

By adding to the title the words "and in the waters of Coos Bay."
And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr Thomas moved that the house concur in the senate amendments to the house amendments to senate bill No. 123.

Carried.

The speaker announced that house bill No. 160 and the governor's veto message thereto, was made a special order for this hour, 10 o'clock A. M.

On motion of Mr. Barrett, the further consideration of house bill No. 160 was made a special order for 1:30 o'clock P. M.

Senate bill No. 96 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hansard, Hardy, Hartman, Holmes, Johnston, Lamson, Leeper, Littig, McAlister, McCoy, McCracken, Merritt, Miller, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—44.

Nays—Messrs. Barnes, Jennings, McCall, Minto and Thompson—5.

Absent—Messrs. Butler, Garfield, Hall, Henry, Killian, Manning, Meussdorffer, Montgomery, Morey, Shedd and Wright—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 56 coming on for third reading, Mr. Welch demanded a call of the house.

The clerk called the roll.

Those present were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—51.

Absent—Messrs. Blundell, Butler, Garfield, Henry, Merritt, Meussdorffer, Miller, Montgomery and Myer—9.

The sergeant-at-arms soon appeared with the absent members.

On motion of Mr. Welch, further proceedings under call of the house were dispensed with.

Senate bill No. 56 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrott, Botkin, Butler, Crook, Durham, Dustin, Fox, Furry, Hall, Hansard, Hartman, Johnston, Killian, Leeper, Littig, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wright, and Mr. Speaker—44.

Nays—Messrs. Coleman, Gambee, Hardy, Henry, Holmes, Jennings, Lamson, Manning, McAlister, Myer, Shedd, Thompson and Wilkins—13.

Absent—Messrs. Blundell, Garfield, and Montgomery—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bill No. 305, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house bill No. 305, and soon thereafter stated that he had so signed.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has adopted senate joint resolution No. 11, relating to the purchase of

the electric-light plant with which the state buildings are lighted.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Paquet moved the house concur in senate joint resolution No. 11.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Fox, Furry, Gambee, Hall, Hardy, Hartman, Henry, Johnston, Killian, Lamson, Littig, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Paquet, Richey, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—41.

Nays—Messrs. Baker, Barnes, Dustin, Jennings, Leeper, Manning, McAlister, Myer, Shedd, Stephenson and Thompson—11.

Absent—Messrs. Armstrong, Garfield, Hansard, Holmes, Miller, Montgomery, Reed and Welch—8.

So the house concurred in the resolution.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the house amendments to senate bill No. 159.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 123 with the following amendment:

AMENDMENT.

Amend section 1 of house bill No. 123 by striking out all after the word "amended," line 2 of printed bill, down to and including

the word "shall," on line 4 of printed bill, and insert in lieu thereof "so as to read as follows."

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Thomas, the house concurred in the senate amendment to house bill No. 123.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bill No. 305.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the adoption of the house amendments to senate bill No. 16.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 168 with the following amendments:

AMENDMENT.

Amend by striking out from line 13, section 1, printed bill, the

words "including the costs of" and inserting in lieu thereof the word "against."

AMENDMENT.

Also amend by striking out all of section 2 of said bill.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Barrett, the house concurred in the senate amendments to house bill No. 168.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the adoption of house joint resolution No. 13 with the following amendments:

AMENDMENT.

Add "and the various officers required by this act."

AMENDMENT.

Strike out the words "11:30 o'clock A. M." and insert in lieu thereof "2:30 o'clock P. M."

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Miller the house concurred in the senate amendments to house joint resolution No. 13.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has

concurred in the adoption of the house amendments to senate bill No. 96.

O. P. MILLER,
Chief clerk.

Mr. Jennings was invited to the chair.

Senate bill No. 39 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Fox, Manning, Moor of Benton, and Stillwell—9.

Nays—Messrs. Coleman, Crook, Durham, Dustin, Furry, Gambee, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, McAlister, McCall, McCracken, Merritt, Meussdorffer, Minto, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins and Wright—43.

Absent—Messrs. Barnes, Blundell, Garfield, Hall, McCoy, Miller, Montgomery, and Mr. Speaker—8.

So the bill failed to pass.

Senate bill No. 8 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Dustin, Furry, Gambee, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Leeper, Littig, Manning, McAlister, McCall, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Wilkins, and Mr. Speaker—46.

Nays—Messrs. Armstrong, Durham, Fox, Hansard, Weed and Wright—6.

Absent—Messrs. Crook, Garfield, Hall, Lamson, McCoy, McCracken, Montgomery and Welch—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 30 coming on for a third reading, on motion of Mr. Henry it was re-committed to committee on education with leave to report at any time.

Senate bill No. 215 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Leeper, Littig, Manning, McAlister, McCall, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Story, Thomas, Thompson, Tracy, Weed, Wright, and Mr. Speaker—49.

Nays—Messrs. Gambee, Stillwell and Wilkins—3.

Absent—Messrs. Garfield, Hall, Lamson, McCoy, McCracken, Miller, Montgomery and Welch—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 100 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Furry, Gambee, Hansard, Hardy, Hartman, Henry, Jennings, Johnston, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Dustin, Fox, Garfield, Hall, Holmes, Killian, Lamson, McCoy, Miller and Montgomery—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Blundell, chairman of committee on education, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1891. }

Mr. Speaker:

Your committee on education, to whom was referred senate bill No. 30, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass by adding the following amendment to section 5:

AMENDMENT.

That section 11 of the aforesaid act be and the same is hereby amended so as to read as follows:

Sec. 11. Any itinerant vender of any drug, nostrum, medicine, ointment, or any appliance of any kind, intended for the treatment of disease or injury, who shall by writing, or printing, or any other method publicly profess to cure or treat diseases, injuries, deformities, or ailments of any kind, by any drug, nostrum, medicine, or other application, shall pay to the secretary of state a license of one hundred dollars per month, to be collected by said secretary of state or by his lawfully authorized attorney.

Any person who shall violate the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed five hundred dollars, or by imprisonment in the county jail not to exceed six months, or by both such fine and imprisonment.

Any license issued to a firm or company shall not be construed so as to permit such firm or company to transact business in different places at the same time.

All moneys received for said licenses, shall be disposed of as prescribed by the law of this state relating to insurance licenses, and the compensation of the secretary of state for collecting moneys under this section shall be the same as that allowed the insurance commissioner for collecting insurance licenses.

J. E. BLUNDELL,
Chairman.

J. F. HENRY.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 19, 1891. }

Mr. Speaker:

Your committee on education, to whom was referred substitute for senate bill No. 30, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

That in section 1, line 1 of printed bill, the figure "2" after the word "section" be stricken out and figure "3" inserted in lieu thereof; and that all of lines 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,

17 and 18, in section 1, and line 1 and the words "read as follows," in line 2 of section 2, be stricken out.

J. E. BLUNDELL,
J. F. HENRY.

On motion of Mr. Blundell, the report with amendments was adopted.

Senate bill No. 30 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Dustin, Furry, Gambia, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—Mr. Lamson—1.

Absent — Messrs. Crook, Durham, Fox, Garfield, Hartman, Miller, Montgomery, Mulkey and Reed—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 92 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Coleman, Durham, Dustin, Furry, Gambia, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Richey, Shedd, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—49.

Nays—Messrs. Johnston, Snider and Stephenson—3.

Absent — Messrs. Butler, Crook, Fox, Garfield, Hardy, Miller, Montgomery and Reed—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker resumed the chair.

Senate bill No. 9 coming on for a third reading, on motion of Mr.

Thomas, the bill was referred to the committee on judiciary, with leave to report at any time.

Mr. Story moved to adjourn.

Lost.

Senate bill No. 172 coming on for third reading, Mr. Armstrong moved to indefinitely postpone.

Lost.

Senate bill No. 172 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Blundell, Botkin, Crook, Dustin, Furry, Hansard, Henry, Killian, Littig, Reed, Snider, Stephenson, Stillwell, Story and Wright—16.

Nays—Messrs. Armstrong, Barnes, Barrett, Butler, Coleman, Durham, Gambee, Hall, Holmes, Jennings, Johnston, Lamson, Leeper, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Richey, Shedd, Starr, Stewart, Thomas, Thompson, Weed, Welch, Wilkins, and Mr. Speaker—35.

Absent—Messrs. Fox, Garfield, Hardy, Hartman, Meussdorffer, Miller, Montgomery, Morey and Tracy—9.

So the bill failed to pass.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,)
SALEM, Oregon,)
February 20, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bills Nos. 11, 25, 36, 69, 97, 161, 211, and house concurrent resolution No. 19, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house bills Nos. 11, 25, 36, 69, 97, 161, 211, and house concurrent resolution No. 19, and soon thereafter that he had so signed.

Senate bill No. 76 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Durham, Dustin, Fox, Hall, Henry, Jennings, Johnston, Lamson, Leeper, McAlister, McCall, McCoy, McCracken, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Starr, Stephenson, Stewart, Stillwell, Thomas, Weed, Welch, Wilkins, Wright, and Mr. Speaker—35.

Nays—Messrs. Barnes, Coleman, Crook, Furry, Gambée, Hansard, Holmes, Killian, Merritt, Mulkey, Richey, Shedd, Snider and Thompson—14.

Absent—Messrs. Blundell, Garfield, Hardy, Hartman, Littig, Manning, Miller, Montgomery, Morey, Story and Tracy—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 2.

And the same is herewith returned to you for enrollment.

J. P. MILLER,
Chief clerk.

On motion of Mr. Armstrong, the house adjourned.

AFTERNOON SESSION.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 20, 1891. }

The house was called to order, Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Butler, Garfield, Hall, Hardy, Hartman, Littig, Montgomery, Paquet, Stewart and Tracy.

The speaker announced that house bill No. 160 and the governor's veto thereto was made a special order for this hour.

Mr. Merritt demanded a call of the house.

The roll was called, and the absentees were Messrs. Garfield, Littig, Montgomery, Paquet and Stephenson.

The sergeant-at-arms soon appeared with the absent members.

On motion of Mr. Killian, further proceedings under the call of the house were dispensed with.

House bill No. 160 being a special order, and the question being, "Shall the bill pass notwithstanding the objections of his excellency the governor?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hardy, Hartman, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McCall, McCoy, McCracken, Merritt, Meüssdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Paquet, Reed, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—46.

Nays—Messrs. Coleman, Hansard, Henry, Holmes, Killian, McAlister, Mulkey, Myer, Richey, Shedd and Thompson—11.

Absent—Messrs. Garfield, Montgomery and Wright—3.

So the bill passed notwithstanding the objections of his excellency the governor.

On motion of Mr. Minto, the courtesies of the house were extended to Hon. Geo. K. Shiel.

The following messages were received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the adoption of house amendments to senate bill No. 30.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the house amendments to senate bill No. 215.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has refused to concur in the following house amendments to senate bill No. 92.

AMENDMENT.

Change Crook county figures from \$400 to \$600.

AMENDMENT.

Change Grant county figures from \$600 to \$500.

AMENDMENT.

Change Klamath county figures from \$400 to \$500.

AMENDMENT.

Change Multnomah county figures from \$2000 to \$3000.

AMENDMENT.

Change Umatilla county figures from \$800 to \$600.

AMENDMENT.

Change Union county figures from \$700 to \$500.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

Mr. Killian moved a conference committee be appointed on house amendments to senate bill No. 92.

Carried.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker :

I am directed by the president to inform you that senate bills Nos. 33, 44, 98, 154 and 195 are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 33, 44, 98, 154 and 195, and soon thereafter stated that he had so signed.

The speaker announced that he had appointed as committee of conference on house amendments to senate bill No. 92, Messrs. Killian and Lamson on the part of the house, to confer with a like committee on the part of the senate.

The committee on judiciary submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 20, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred senate bill No. No. 84, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 20, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred senate bill No. 9, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

After the word "record," on line 6 of section 3, page 2 of printed bill, insert the following: Inasmuch as there is no such officer as county clerk in Multnomah county, all acts to be performed by county clerks in this act shall be performed in said Multnomah county by the clerk of the county court therein.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report with amendments was adopted. Senate bill No. 84 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Meussdorffer, Miller, Minto, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Garfield, Holmes, Merritt, Montgomery, Moor of Benton and Stephenson—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 9 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Meussdorffer, Miller, Minto, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Dustin, Garfield, Merritt, Montgomery, Moor of Benton and Welch—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The board of reform school building commissioners submitted the following report:

REPORT.

STATE CAPITOL,
SALEM, Oregon,
February 18, 1891. }

To the Honorable the Legislative Assembly of the State of Oregon:

GENTLEMEN: We have the honor herewith to submit our report of the transactions of the board of reform school building commis-

sioners, established by an act entitled "An act to establish a reform school for juvenile offenders, and erect necessary buildings therefor," approved February 18, 1889.

On Monday, the third day of June, A. D. 1889, the said board met in the office of the secretary of state, there being present the governor, Sylvester Pennoyer; the secretary of state, Geo. W. McBride, and the superintendent of public instruction, E. B. McElroy.

In accordance with the said act, the board proceeded to the election of a clerk, and duly elected Mr. Edmond C. Giltner clerk of said board, and fixed his salary at the sum of one hundred dollars a year. The members of the board having previously examined many tracts of land in the endeavor to find a suitable site for the reform school, at this meeting unanimously agreed to purchase the south half of the Rector donation land claim containing 319 56-100 acres, and a tract of land adjoining the same containing about fifty-six acres, provided the title to each of said tracts should be found to be satisfactory by a competent attorney.

The secretary of state was authorized to employ S. T. Richardson, Esq., to examine the title to such lands. At the regular meeting of said board, July 1, 1889, it was ascertained that the superintendent of the penitentiary would be unable, on account of the nature of the contract for prison labor, to furnish the brick necessary for the construction of the reform school building during the year 1889, and it was ordered that the advertisement for the submission of plans and specifications for a building be deferred. The nature to the title of the lands selected by the board was such that proceedings in court were necessary to obtain a title thereto by referee's sale, and the board employed Messrs. S. T. Richardson and P. H. D'Arcy to represent the state in all matters pertaining to such court proceedings and the title to the land.

The board obtained title to the above-described land in April, 1890, and thereupon ordered advertisements for plans and specifications in accordance with the above-entitled act. In accordance with section 3 of said act, the board allowed an aggregate of one hundred and twenty-five dollars (\$125) for the plans and specifications submitted by two of the competing architects. The plans submitted by Messrs. Roberts & McNally were accepted, and advertisements for the construction of a building in accordance therewith were inserted in the newspapers. On July 22, 1890, bids for the construction of such building were submitted as follows:

D. C. Schell, Albany	\$26,500
G. A. Stephens, Salem	26,716
Z. Craven, Salem	27,100

Thomas Mann, Portland -----	27,640
Jackson & Hutchins, Salem -----	27,984
A. Olinger & Son, Salem -----	28,453
W. D. Garrett & Co., Portland -----	29,987

The lowest bid, that of D. C. Schell, was accepted, but he afterwards notified the board that he could not comply with the terms under which said building was to be constructed, and the contract was thereupon let to the next lowest bidder, Mr. G. A. Stevens. The building has since been completed, and has recently been accepted by the board. During the last few weeks a competent mechanic was employed to inspect the work on behalf of the board. In addition to the tracts of land above mentioned, the board purchased a small tract of two and thirty one-hundredths acres, the use of which was necessary to secure the full benefits of the water supply and privileges on Mill creek. The board has bought in all 377 86-100 acres of land, and has paid therefor \$12,556.05. With this property the board secures a valuable water-power, which can be utilized for the industrial department of the school. A water-wheel has been placed on Mill creek and pipes laid therefrom to the reform school building, from which we secure an ample supply of water for the institution. Roads have been graded from the county roads to the school building, and other improvements have been made on the premises by prison labor.

The appropriation of \$30,000, made by the last legislature for the purchase of land and the construction of the building, was insufficient for those purposes, and the board has necessarily incurred deficiencies of about \$17,000 for all the purposes above mentioned. The reform school building is one of the most attractive in appearance of our state institutions, and especial care was taken to insure strength and durability. It is equipped with modern conveniences suitable for the officers and inmates, and is supplied with an excellent system of steam heating. Cottages and other buildings will be required for the efficient management of the school, and suitable appropriations should be made therefor. The above-entitled act of 1889 made no provision for the admission of minors to the school, other than such as might be convicted of crime. Our legislation in this respect should be amended so as to be in harmony with the laws of other states permitting the admission to such schools of other minors, who may thereby be prevented from becoming criminals. We would further recommend that specific provision be made by law for the general management and discipline of the institution. As no provision was made in the act of 1889 either for compensation or the payment of the expenses of the members of the board, we have not felt authorized to draw

warrants for our actual expenses incurred in the examination of land, the inspection of the farm buildings, and other duties of the board. We have the honor to be, very respectfully,

Your obedient servants.

SYLVESTER PENNOYER,
Governor.

GEO. W. McBRIDE,
Secretary of State.

E. B. McELROY,
Supt. of Public Instruction.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bill No. 173 is reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bill No. 173, and soon thereafter that he had so signed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the adoption of the house amendments to senate bill No. 9.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed

house bills Nos. 25, 45, 70, 36, 69, 211. 11, 161 and 97, house concurrent resolutions Nos. 19, 23 and 25, and house joint resolution No. 12.

And the same are herewith returned to you.

O. P. MILLER,
Chief clerk.

Senate bill No. 112 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Crook, Garfield, Hall, Merritt, Montgomery, Reed and Shedd—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 94 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Durham, Fox, Hall, Hardy, Johnston, Killian, Littig, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Snider, Starr, Stewart, Story, Thomas, Thompson, Weed, Welch, Wilkins, Wright, and Mr. Speaker—30.

Nays—Messrs. Coleman, Dustin, Furry, Gambee, Hansard, Henry, Holmes, Jennings, Lamson, Leeper, Manning, McAlister, Minto, Moore of Washington, Mulkey, Myer, Paquet, Richey, Shedd, Stephenson, Stillwell and Tracy—22.

Absent—Messrs. Blundell, Crook, Garfield, Hartman, McCall, Montgomery, Morey and Reed—8.

So the bill failed to pass.

Mr. Miller introduced house concurrent resolution No. 27:

HOUSE CONCURRENT RESOLUTION NO. 27.

Be it resolved by the House, the Senate concurring:

That the secretary of state be instructed to telegraph a copy of

house concurrent resolution No. 24 to our senators and representative in congress.

On motion of Mr. Miller, the resolution was adopted.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 160, notwithstanding the objections of the governor.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign house bill No. 160, and soon after stated that he had so signed.

At this point the honorable senate of the state of Oregon was announced.

JOINT CONVENTION.

President Simon advanced to the speaker's chair.

After seating, the president ordered the clerk of the senate to call the roll of the senate.

All of the senators were present.

The clerk of the house called the roll of the house.

All the members responded except Messrs. Garfield and Montgomery.

The chief clerk of the senate read house joint resolution No. 13, which called for the legislature to meet in joint convention for the purpose of electing three railroad commissioners and various other officers required by law.

RAILROAD COMMISSIONERS.

The first order of business being the election of three railroad commissioners for the term of two years, Senator Moore placed in nomination Hon. G. W. Colvig, Hon. Robert Clow, and A. N. Hamilton.

There being no further nominations, the president declared nominations closed.

The roll was called.

Those voting for Mr. Colvig were :

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Cameron, Carson, Crook, Crosno, Cross, Dodson, Durham, Eakin, Fox, Fullerton, Fulton, Gates, Hall, Hartman, Hatch, Hilton, Hirsch, Jennings, Johnston, Lamson, Leeper, Littig, Looney, Mackay, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Columbia, Moore of Washington, Morey, Norval, Paquet, Reed, Sinclair, Snider, Starr, Stewart, Stillwell, Storey, Thomas, Tongue, Tracy, Wait, Watkins, Weed, Welch, Wilkins, Willis, Wright, Mr. Speaker, and Mr. President—62.

Those voting blank were :

Messrs. Barnes, Blackman, Butler, Cogswell, Coleman, Dustin, Furry, Gambee, Hansard, Hardy, Henry, Holmes, Killian, Matlock, McAllister, Mulkey, Myer, Myers, Raley, Richey, Shedd, Stephenson, Thompson, Veatch, and Weatherford—25.

Absent—Messrs. Garfield and Montgomery—2.

Those voting for Mr. Clow were :

Messrs. Armstrong, Baker, Blundell, Barrett, Botkin, Cameron, Carson, Crook, Crosno, Cross, Dodson, Durham, Eakin, Fox, Fullerton, Fulton, Gates, Hall, Hartman, Hatch, Hilton, Hirsch, Jennings, Johnston, Lamson, Leeper, Littig, Looney, Mackay, Manning, McCall, McCoy, McCracken, Merritt, Muesdorffer, Miller, Minto, Moor of Benton, Moore of Columbia, Moore of Washington, Morey, Norval, Paquet, Reed, Sinclair, Snider, Starr, Stewart, Story, Thomas, Tongue, Tracy, Wait, Watkins, Weed, Welch, Wilkins, Willis, Wright, Mr. Speaker, and Mr. President—61.

Those voting blank were :

Messrs. Barnes, Blackman, Butler, Cogswell, Coleman, Dustin, Furry, Gambee, Hansard, Hardy, Henry, Holmes, Killian, Matlock, McAllister, Mulkey, Myer, Myers, Raley, Richey, Shedd, Stephenson, Thompson, Veatch, and Weatherford—25.

Absent—Messrs. Garfield and Montgomery—2.

Not voting—Mr. Stillwell—1.

Those voting for Mr. Hamilton were :

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Cameron, Carson, Crook, Crosno, Cross, Dodson, Durham, Eakin, Fox, Fullerton, Fulton, Gates, Hall, Hartman, Hatch, Hilton, Hirsch, Jennings, Johnston, Lamson, Leeper, Littig, Looney, Mackay, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Columbia, Moore of Washington, Morey, Norval, Paquet, Sinclair, Snider, Starr, Stewart, Stillwell, Storey, Thomas,

Tongue, Tracy, Wait, Watkins, Weed, Welch, Wilkins, Willis, Wright, Mr. Speaker, and Mr. President—61.

Those voting blank were:

Messrs. Barnes, Blackman, Butler, Cogswell, Coleman, Dustin, Furry, Gambee, Hansard, Hardy, Henry, Holmes, Killian, Matlock, McAllister, Mulkey, Myer, Myers, Raley, Richey, Shedd, Stephenson, Thompson, Veatch, and Weatherford—25.

Those voting for Sylvester Pennoyer were:

Mr. Reed—1.

Absent—Messrs. Garfield and Montgomery—2.

The president announced that Messrs. Colvig, Clow, and Hamilton having received a majority of all the votes cast, were declared duly elected railroad commissioners for the state of Oregon for the ensuing term of two years.

FISH COMMISSIONERS.

The next order of business being the election of three fish commissioners, Senator Moore placed in nomination Hon. F. C. Reed, R. C. Campbell, and Geo. T. Myers.

There being no further nominations, the president declared the nominations closed.

The roll was called.

Those voting for Messrs. Reed, Campbell, and Myers were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Cameron, Carson, Crook, Crosno, Cross, Dodson, Durham, Eakin, Fox, Fullerton, Fulton, Gates, Hall, Hartman, Hatch, Hilton, Hirsch, Jennings, Johnston, Lamson, Leeper, Littig, Looney, Mackay, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Columbia, Moore of Washington, Morey, Norval, Paquet, Reed, Sinclair, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tongue, Tracy, Wait, Watkins, Weed, Welch, Wilkins, Willis, Wright, Mr. Speaker, and Mr. President—62.

Those voting blank were:

Messrs. Barnes, Blackman, Butler, Cogswell, Coleman, Dustin, Furry, Gambee, Hansard, Hardy, Henry, Holmes, Killian, Matlock, McAllister, Mulkey, Myer, Myers, Raley, Richey, Shedd, Stephenson, Thompson, Veatch and Weatherford—25.

Absent—Messrs. Garfield and Montgomery—2.

The president announced that Messrs. Reed, Campbell, and Myers having received a majority of all the votes cast, were declared duly elected fish commissioners for the state of Oregon for the ensuing term of two years.

PILOT COMMISSIONERS.

The next order of business being the election of three pilot commissioners, Senator Moore placed in nomination Mr. J. F. Halloran and B. F. Packard of Astoria, and J. H. Brown of Portland.

There being no further nominations, the president declared the nominations closed.

The roll was called.

Those voting for Messrs. Halloran, Packard, and Brown were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Cameron, Carson, Crook, Crosno, Cross, Dodson, Durham, Eakin, Fox, Fullerton, Fulton, Gates, Hall, Hartman, Hatch, Hilton, Hirsch, Jennings, Johnston, Lamson, Leeper, Littig, Looney, Mackay, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Columbia, Moore of Washington, Morey, Norval, Paquet, Reed, Sinclair, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tongue, Tracy, Wait, Watkins, Weed, Welch, Wilkins, Willis, Wright, Mr. Speaker, and Mr. President—62.

Those voting blank were:

Messrs. Barnes, Blackman, Butler, Cogswell, Coleman, Dustin, Furry, Gambee, Hansard, Hardy, Henry, Holmes, Killian, Matlock, McAllister, Mulkey, Myer, Myers, Raley, Richey, Shedd, Stephenson, Thompson, Veatch and Weatherford—25.

Absent—Messrs. Garfield and Montgomery—2.

The president announced that Messrs. Halloran, Packard, and Brown having received a majority of all the votes cast, were declared duly elected pilot commissioners for the state of Oregon for the ensuing term of two years.

FOOD COMMISSIONER.

The next order of business being the election of food commissioner, Senator Moore placed in nomination W. W. Baker of Multnomah county, and Senator Weatherford placed in nomination Peter Esser of Multnomah county.

There being no further nominations, the president declared nominations closed.

The roll was called.

Those voting for Mr. Baker were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Cameron, Carson, Crook, Crosno, Cross, Dodson, Durham, Eakin, Fox, Fullerton, Fulton, Gates, Hall, Hartman, Hatch, Hilton, Hirsch, Jennings, Johnston, Lamson, Leeper, Littig, Looney, Mackay, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto,

Moor of Benton, Moore of Columbia, Moore of Washington, Morey, Norval, Paquet, Reed, Sinclair, Snider, Starr, Stewart, Stillwell, Storey, Thomas, Tongue, Tracy, Wait, Watkins, Weed, Welch, Wilkins, Willis, Wright, Mr. Speaker, and Mr. President—62.

Those voting for Mr. Esser were:

Messrs. Barnes, Blackman, Butler, Cogswell, Coleman, Dustin, Furry, Gambee, Hansard, Hardy, Henry, Holmes, Killian, Matlock, McAllister, Mulkey, Myer, Myers, Raley, Richey, Shedd, Stephenson, Thompson, Veatch and Weatherford—25.

Absent—Messrs. Garfield and Montgomery—2.

The president announced that Mr. W. W. Baker having received a majority of all the votes cast, was declared duly elected food commissioner of the state of Oregon for the ensuing term of two years.

STATE LIBRARIAN.

The next order of business being the election of a state librarian, Senator Moore placed in nomination J. B. Putnam, the present incumbent.

Representative Holmes, in behalf of the minority, seconded the nomination.

There being no further nominations, the president declared nominations closed.

The roll was called.

Those voting for Mr. Putnam were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blackman, Blundell, Botkin, Butler, Cameron, Carson, Cogswell, Coleman, Crook, Crosno, Cross, Dodson, Durham, Dustin, Eakin, Fox, Fullerton, Fulton, Furry, Gambee, Gates, Hall, Hansard, Hardy, Hartman, Hatch, Henry, Hilton, Hirsch, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Looney, Mackay, Manning, Matlock, McAllister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Columbia, Moore of Washington, Morey, Mulkey, Myer, Myers, Norval, Paquet, Raley, Reed, Richey, Shedd, Sinclair, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tongue, Tracy, Veatch, Wait, Watkins, Weatherford, Weed, Welch, Wilkins, Willis, Wright, Mr. Speaker, and Mr. President—87.

Absent—Messrs. Garfield and Montgomery—2.

The president announced that Mr. Putnam having received all the votes cast, was declared the unanimous choice of this convention for state librarian for the state of Oregon for the ensuing term of two years.

BOATMAN AT ASTORIA.

The next order of business being the election of a boatman at Astoria, Senator Moore placed in nomination Mr. Adolf Johnson of Clatsop county.

There being no further nominations, the president declared nominations closed.

The roll was called.

Those voting for Mr. Johnson were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Cameron, Carson, Crook, Crosno, Cross, Dodson, Durham, Eakin, Fox, Fullerton, Fulton, Gates, Hall, Hartman, Hatch, Hilton, Hirsch, Jennings, Johnston, Lamson, Leeper, Littig, Looney, Mackay, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Columbia, Moore of Washington, Morey, Norval, Paquet, Reed, Sinclair, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tongue, Tracy, Wait, Watkins, Weed, Welch, Wilkins, Willis, Wright, Mr. Speaker, and Mr. President—61.

Those voting blank were:

Messrs. Barnes, Blackman, Butler, Cogswell, Coleman, Furry, Hansard, Hardy, Henry, Holmes, Killian, Matlock, McAllister, Mulkey, Myer, Myers, Raley, Richey, Shedd, Stephenson, Thompson, Veatch and Weatherford—23.

Absent—Messrs. Dustin, Gambee, Garfield, Miller and Montgomery—5.

The president announced that Mr. Johnson having received a majority of all the votes cast, was declared duly elected boatman for the ensuing term of two years.

There being no further business before the joint convention, on motion of Senator Moore, the joint convention dissolved.

The special committee appointed under house concurrent resolution No. 3 submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 20, 1891. }

Mr. Speaker:

Your committee appointed under house concurrent resolution No. 3, to examine the books and accounts of the state treasurer's office, having performed the duty entrusted to it, beg leave to report as follows:

As authorized by your resolution, we employed expert account-

ants, who, by our direction, and under such personal supervision as our legislative duties enabled us to give to the investigation, have found the following facts: A comparison of the entries of cash receipts for the fiscal year 1889-'90 with the duplicate receipts filed with the secretary of state, each of which has been carefully compared with the books, shows that all money received from all sources has been recorded and correctly accounted for, and that the totals are correct.

An examination of the disbursements during the biennial term, and a comparison of the items with the warrants of the secretary of state, show that every payment has been made according to law, and correctly entered on the books.

Every note and mortgage in the common school fund, university fund, and agricultural college fund has been examined, the payments of interest compared with the endorsements on the notes and the entries on the cash books, and found correct.

Our attention was called to the fact that \$400 common school fund principal, paid by S. O. Emery, December 17, 1890, was credited to common school fund interest. This increased the apparent amount of the latter fund by \$400, and decreased the true amount of the school fund principal by the same amount. The necessary correction will be made, placing the said amount in its proper place. With the above correction, we find that the balances reported as belonging to the several funds are correct, and the total balance in the treasury, as reported by the retiring treasurer, and receipted for by the incoming treasurer, is the true and correct balance as between the retiring treasurer and the state.

We examined the books of the department, and find them accurately kept and balanced, and to correspond with the biennial report of the treasurer.

The securities deposited by the various foreign insurance and express companies to the amount of \$2,160,500 have been inspected by us and find as reported by the treasurer.

The normal increase of work in the office of state treasurer, in caring for the accumulating funds of the state, justifies us in recommending such a corresponding increase in his clerical aid as is necessary.

All of which is respectfully submitted.

H. B. MILLER,
Chairman.
EDWARD HIRSCH,
J. H. RALEY,
N. L. BUTLER,
JOHN H. HALL.

On motion of Mr. Miller, the report was adopted.

Mr. Baker asked that the special committee be granted further time to examine the accounts of the secretary of state.

Granted.

The committee appointed to visit and examine the condition and management of the insane asylum submitted the following:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 20, 1891. }

Mr. Speaker:

Your committee appointed to visit and examine the condition and management of the insane asylum, beg leave to report that they have performed that duty, and found that inside the building everything seemed in the best possible order. Everything was neat and clean as it seems possible to keep such a number of human beings within so limited space. The patients are separated as to sex into different wards and also as to mental condition by the same means so as to cause the least annoyance to each other. They were shown by the superintendent the method of book-keeping between his office and such of the unfortunates as have money or articles of value when admitted. Of money, which is now a considerable aggregate sum, the superintendent does not feel secure when kept at the asylum, and therefore keeps all but a small sum on deposit elsewhere for safety; the books showing where it is. This is commended.

Thinking it unjust to the superintendent to make an exception of him and pass him without an examination of the books, your committee called in the service of an expert clerk with an assistant.

The following is a condensed statement of his work:

"I carefully examined the books, and compared the entries made on the journal with the bills as rendered, and found them to correspond. I find that the books are kept in a neat and business-like manner; and in my examination of the same, I was afforded every facility in the performance of my duties by Mr. Westacott, the book-keeper, Superintendent Lane, and Mr. Irvin, all of whom invited the closest scrutiny of their accounts.

"I find that the total expense for the maintenance of the institution from December 1, 1888, to November 30, 1890, was \$171,097.80, which corresponds with the report of the trustees for the same term."

Outside the building, we found the dairy barn fully occupied with sixty head of milch cows, which are insufficient to furnish enough

milk for use in the highest economical sense. The superintendent thinks one hundred head will not more than furnish a constant full supply. The superintendent's suggestion to enlarge the capacity of the asylum by building a series of cottages on the farm, wherein may be housed the manageable idiots and mildly insane, where their labor can be utilized with benefit to themselves, and the economical production of foods for the dairy and piggery, as well as of fruits and vegetables for use at the asylum. This line of management your committee also commends.

Respectfully submitted.

JOHN MINTO,
G. W. MYER,
M. T. STARR,
A. SNYDER,
JOHN McALISTER.

On motion of Mr. Minto, the report was adopted.

The committee appointed under senate concurrent resolution No. 10, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1891. }

Mr. Speaker :

Your joint committee appointed under senate concurrent resolution No. 10, to examine and report upon the expenditure of appropriation for military board of Oregon national guard, beg leave to report as follows:

We have, with the assistance of an accountant acquainted with this class of accounts, pursued our investigations, and find the accounts and records of the military board well and systematically kept, and files arranged in such a manner that they may be readily referred to.

We find that a great deal of work has been done by the board in the organization, arranging, and uniforming of the state troops, of which there are three regiments of infantry of ten companies each, two troops of cavalry, and one battery of artillery—thirty-three companies in all; this bringing the maximum number allowed by our state law and approved by the governor. The amounts so allowed are audited by the secretary of state, and vouchers for all accounts paid out of the military fund are now on file in the office of the latter officer.

Some irregularities of members of the military board in the mat-

ter of paying over amounts drawn were reported to your committee, but the matter so reported was explained and all moneys accounted for.

The patience of the members of the Oregon national guard under the adverse circumstances of their organization, and the forbearance of the board in refusing to create a deficiency, are believed to be commendable.

The board was organized under the operation of the law of 1887. The force was enlisted to nearly the maximum limit during June and July of that year; but by the wording of the law no money was available in the military fund until January, 1888. In spite of this absence of funds, these companies are armed with the latest improved rifles and equipments; are uniformed with United States fatigue uniforms, reported to be in a good state of discipline, and we believe ready and willing to perform any service upon which they are likely to be called, with credit to themselves and the state.

This force is officered by one hundred and forty-one officers, who are performing a large amount of effective work for the state, and *without pay*.

The amount of money paid into the military fund has been small when the expense of organizing and uniforming this large body of men is considered, and entirely insufficient to carry out all the provisions of the military law, especially in the matter of encampment.

Your committee believe that the fund has been carefully and economically expended.

All accounts are now certified by claimants, approved by the regimental commander, and allowed by the military board.

The various companies advanced the money for their own uniforms and other expenses, which was refunded to the limit allowed by law at January meeting of the military board.

Thus the entire force was run for six months before funds became available, and has been run each year from July to January without funds. The successful termination of relief legislation pending, and the increased assessment of the state, will place our militia on a footing in point of equipment and efficiency with that of adjacent states, in the near future.

We recommend that this report be printed.

The following amounts have been paid out of the military fund as noted:

AMOUNTS PAID OUT OF "MILITARY FUND"

From January 1, 1888, to January 1, 1891.

<i>In Whose Favor.</i>	<i>For What Purpose.</i>	<i>Amount.</i>
First regiment -----	Armory rent, uniforms, etc. -----	\$14,526 22
Second regiment -----	Armory rent, uniforms, etc. -----	12,859 00
Third regiment -----	Armory rent, uniforms, etc. -----	18,804 00
Battery A -----	Armory rent, uniforms, etc. -----	1,098 66
Troop A -----	Armory rent, uniforms, etc. -----	510 00
Troop B -----	Armory rent, uniforms, etc. -----	513 23
Adjutant-General -----	Salary and mileage, etc. -----	3,794 58
Brigadier-General J. M. Siglin -----	Attendance on military board -----	313 90
Colonel M. E. Thomas -----	Attendance on military board -----	102 20
Colonel J. T. Bowditch -----	Attendance on military board -----	421 75
Colonel A. L. Saylor -----	Attendance on military board -----	111 10
Lieutenant I. A. Manning -----	Expenses Oregon national guard -----	38 30
Flags -----		764 00
F. C. Baker -----	Printing for Oregon national guard -----	2,991 70
Mrs. C. D. Snyder -----	Binding for Oregon national guard -----	204 86
	Total -----	\$52,062 10

Respectfully submitted,

J. W. NORVAL,
J. C. FULLERTON.

On motion of Mr. Durham, the report was adopted.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }*Mr. Speaker:*

I am directed by the president to inform you that the senate has reconsidered the vote by which the senate concurred in the house amendments to senate bill No. 96, and have adopted the following amendment:

AMENDMENT.

Amend the house amendments by striking out the word and figure "section 1" where they appear the second time on line 3 of such amendments, and inserting in lieu thereof the word and figures "section 3279," and by striking out the figure "1" on line 6 and inserting in lieu thereof the figures "3279."

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Thomas, the house concurred in the senate amendments.

Mr. Miller introduced the following resolution, and moved its adoption :

HOUSE RESOLUTION NO. 52.

Whereas the interest of the state demands the passage of senate bill No. 116 ; therefore be it

Resolved, that said bill be placed upon its second reading and final passage now.

Resolution adopted.

The judiciary committee, with leave to report at any time, submitted the following report :

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 20, 1891. }

Mr. Speaker :

Your committee on judiciary, to whom was referred senate bill No. 146, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Add to section 1 the following: *Provided, however*, that this act shall not take effect until the first Monday in July, 1893.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, Oregon, }
February 20, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bills Nos. 130 and 282.

And the same are herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

Senate bill No. 116 coming on for second reading, was read the second time and passed to third reading without question.

Mr. Miller moved that the rules be suspended, and senate bill No. 116 be read the third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Furry, Gambia, Hall, Henry, Holmes, Killian, Lamson, Leeper, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Paquet, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Tracy, Weed, Welch, and Mr. Speaker—39.

Nays—Messrs. Jennings and Thompson—2.

Absent—Messrs. Baker, Crook, Dustin, Fox, Garfield, Hansard, Hardy, Hartman, Johnston, Littig, Manning, McCoy, Montgomery, Morey, Myer, Shedd, Story, Wilkins and Wright—19.

So the motion failed.

On motion of Mr. Armstrong, a call of the house was ordered.

The roll was called, and the absentees were: Messrs. Baker, Crook, Garfield, Hardy, Henry, Lamson, Littig, Manning, McCall, Morey, Paquet, Reed, Shedd, Starr, Stewart, Tracy and Wilkins.

The sergeant-at-arms soon appeared with the absent members.

On motion of Mr. Miller, further call of the house was dispensed with.

Mr. Miller moved that the rules be suspended and senate bill No. 116 be read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Blundell, Botkin, Butler, Crook, Gambia, Hall, Hansard, Holmes, Johnston, Leeper, Littig, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Myer, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stewart, Stillwell, Thomas, Tracy, Weed, Welch, Wright, and Mr. Speaker—36.

Nays—Messrs. Barrett, Coleman, Durham, Dustin, Fox, Furry, Hartman, Henry, Jennings, Killian, Lamson, Manning, Minto, Moore of Washington, Shedd, Stephenson and Thompson—17.

Absent—Messrs. Baker, Garfield, Hardy, Montgomery, Morey, Story and Wilkins—7.

So the motion failed.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker :

I am directed by the president to inform you that he has appointed as a committee of conference on amendments to senate bill No. 92, on the part of the senate, Messrs. Norval and Cogswell.

O. P. MILLER,
Chief clerk.

Senate bill No. 176 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barrett, Blundell, Botkin, Butler, Crook, Durham, Dustin, Fox, Gambee, Littig, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Reed, Snider, Starr, Stewart, Story, Weed, Welch and Wright—27.

Nays—Messrs. Barnes, Coleman, Furry, Hansard, Hartman, Henry, Jennings, Johnston, Leeper, Manning, McAlister, Moore of Washington, Mulkey, Myer, Paquet, Richey, Shedd, Stephenson, Stillwell, Thomas, Thompson, Tracy, and Mr. Speaker—23.

Absent—Messrs. Baker, Garfield, Hall, Hardy, Holmes, Killian, Lamson, Montgomery, Morey and Wilkins—10.

So the bill failed to pass.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bill No. 156 with the following amendments attached.

AMENDMENT.

After the words "Benton county," on the eleventh line of page 2, in section 1 of the bill, insert: All land lying on the west of the line last stated shall belong to and is hereby made a part of Tillamook county.

AMENDMENT.

After the word "beginning," on the eighteenth line of same page and section, insert: All land on the east of the line last above described shall belong to and is hereby made a part of Marion county.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Holmes the house concurred in the senate amendments to house bill No. 156.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bill No. 103, with the following amendments hereto attached.

AMENDMENT.

Amend house bill No. 103, as printed, by striking out of line 5 the words "board of county commissioners," and inserting in lieu thereof the words "county court."

AMENDMENT.

By striking out of line 6 the words "first select, procure, examine and adopt," and inserting in lieu thereof the words "at once advertise for sealed."

AMENDMENT.

By striking out of lines 6 and 7 the words "for such bridges, and shall at once thereafter advertise for sealed bids," and inserting in lieu thereof the words "and for bids."

AMENDMENT.

By striking out the word "and" where it first appears on line 8.

AMENDMENT.

By striking out of lines 13 and 14 the words "board of county commissioners," and inserting in lieu thereof the words "county court."

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Coleman, the house concurred in the senate amendments to house bill No. 103.

The speaker submitted the following messages from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 27.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the house amendments to senate bill No. 112.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bills Nos. 277 and 120.

And the same are herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

Mr. Moor of Benton moved that the rules be suspended and senate bill No. 21 be read the second time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Blundell, Botkin, Butler, Gambee, Hall, Holmes, Jennings, Johnston, Leeper, Littig, McAlister, McCoy, McCracken, Meussdorffer, Minto, Moor of Benton, Myer, Mulkey, Reed, Richey, Starr, Stephenson, Stewart, Story, Thomas, Weed, Welch, Wright, and Mr. Speaker—31.

Nays—Messrs. Barrett, Coleman, Crook, Durham, Dustin, Fox, Furry, Hansard, Hartman, Manning, McCall, Moore of Washington, Shedd, Snider, Stillwell, Thompson and Tracy—17.

Absent—Messrs. Baker, Garfield, Hardy, Henry, Killian, Lamson, Merritt, Miller, Montgomery, Morey, Paquet and Wilkins—12.

So the motion failed.

Mr. Coleman moved that the vote by which senate bill No. 176 was lost be reconsidered.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Leeper, Littig, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moore of Washington, Myer, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—46.

Nays—Messrs. Manning and McAlister—2.

Absent—Messrs. Baker, Garfield, Hardy, Killian, Lamson, Miller, Montgomery, Moor of Benton, Morey, Paquet, Stewart and Wilkins—12.

So the vote by which senate bill No. 176 was lost was reconsidered.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Henry, Holmes, Jennings, Johnston, Leeper, Littig, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moore of Washington, Myer, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—45.

Nays—Messrs. Hartman, Manning and McAlister—3.

Absent—Messrs. Baker, Garfield, Hardy, Killian, Lamson, Miller, Montgomery, Moor of Benton, Morey, Paquet, Stewart and Wilkins—12.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 179 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Baker, Manning, Miller, Montgomery, Paquet, Stewart and Wilkins—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The house committee on conference to senate bill No. 92 submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 20, 1891. }

Mr. Speaker:

Your committee on conference upon senate bill No. 92, respectfully report that we have conferred with the committee appointed upon the part of the senate, and have agreed upon the matter of difference between the house and senate, and would recommend that the house recede from its amendments to senate bill so far as they relate to the salary of the county treasurers of Crook, Klamath, Multnomah, Umatilla, Union and Grant counties.

H. W. LAMSON,
Chairman.

On motion of Mr. Lamson, the report was adopted.

Senate bill No. 178 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig,

Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Montgomery, Moor of Benton, Moore of Washington, Morey, Reed, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Armstrong, Coleman, Crook, Hardy, McCoy, Myer, Mulkey, Paquet, Richey and Wilkins—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 227 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Crook, Miller, Montgomery, Myer, Paquet and Wilkins—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bill No. 160, passed by the senate notwithstanding the objections of the governor.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

On motion of Mr. Moor of Benton, the report of the committee appointed to examine the state penitentiary was read, and on his motion, adopted.

[This report will be found on page 645, *supra*. In order to save to the state the expense of printing it again, it is omitted here.—
STATE PRINTER,]

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 57.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the adoption of the house amendment to senate bill No. 227.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 132.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has

passed house bill No. 116, with the following amendment hereto attached.

AMENDMENT.

Strike out all of section 4, and change section 5 to section 4, and add to it the following: The parent or guardian of such child consenting thereto.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Moor of Benton, the house concurred in the senate amendments to house bill No. 116.

Senate bill No. 49 coming on for third reading, on motion of Mr. Moor of Benton, the bill was laid on the table.

Senate bill No. 186 coming on for third reading, on motion of Mr. Durham, the bill was indefinitely postponed.

Senate bill No. 121 coming on for third reading, on motion of Mr. Moor of Benton, the bill was laid on the table.

Senate bill No. 34 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Baker, Crook, Garfield, Montgomery, Myer, Paquet, Reed and Story—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 208 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy,

McCraken, Merritt, Meussdorffer, Miller, Moore of Washington, Mulkey, Paquet, Richey, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Garfield, Hardy, Minto, Montgomery, Moor of Benton, Morey, Myer, Reed, Shedd and Stewart—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 210 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Botkin, Butler, Crook, McCraken, Meussdorffer, Miller, Moor of Benton, Mulkey, Paquet, Starr, Story and Weed—12.

Nays—Barnes, Barrett, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Minto, Moore of Washington, Myer, Richey, Shedd, Stephenson, Stewart, Stillwell, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—38.

Absent—Messrs. Armstrong, Baker, Blundell, Garfield, Henry, Holmes, Montgomery, Morey, Reed and Snider—10.

So the bill failed to pass.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has appointed on the part of the senate under house concurrent resolution No. 23, Messrs. Moore and Raley.

O. P. MILLER,
Chief clerk.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house

bills Nos. 2, 59, 119, 146, 168, house joint resolution No. 13, and house concurrent resolution No. 22, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house bills Nos. 2, 59, 119, 146, 168, house joint resolution No. 13, and house concurrent resolution No. 22, and soon thereafter stated that he had so signed.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 237 with the following amendment hereto attached.

AMENDMENT.

To amend section 2, printed bill. Strike out all after the word "thereafter" in line 15, to and including the word "city" in line 31, and in lieu thereof insert: *Provided further*, that for the purpose of continuing said board of water commissioners, at the next regular city election for Dalles City, two such commissioners shall be elected to take their office on the first Monday of July next; and at the second regular city election for Dalles City, three such commissioners shall be elected to take their office on the first Monday of July, 1892.

At every such election for water commissioners, one shall be elected from each ward of said city; and at said regular city election for 1892, and at every third regular city election thereafter, one shall be elected by the qualified voters of said city at large, who shall be known as commissioner at large.

Each of said commissioners to be elected, shall be chosen for the term of three years from the first Monday of July following their election and until their successors are elected and qualified.

Vacancies occurring in said office shall be filled by the majority vote of said board of water commissioners, and their selection shall hold office only until the next regular city election, and until his successor is elected and qualified, who shall be elected for the unexpired term of three years in which such vacancy arose.

Said water commissioners chosen from said wards, shall have the same qualifications as councilmen, and said water commissioner chosen at large shall have the same qualifications as mayor of said city.

To entitle persons to vote for water commissioners, such persons shall be required to have the same qualifications as voters for councilmen of said city.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

On motion of Mr. Thomas, the house concurred in the amendments.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills Nos. 16, 219, 123, 56, 159, 76, 105, 134 are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 16, 219, 123, 56, 159, 76, 105, 134, and soon thereafter stated that he had so signed.

Mr. Moor of Benton introduced the following resolution, and moved its adoption:

HOUSE RESOLUTION NO. 53.

Resolved, That the secretary of state be and he is hereby instructed to mail one copy of the last calendar of this house to each of the members and officers as soon as it shall be printed.

Resolution adopted.

Senate bill No. 63 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Butler, Durham, Fox, Hardy, Hartman, Holmes, Jennings, Johnston, Lamson, Leeper,

McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Myer, Paquet, Richey, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—36.

Nays—Messrs. Coleman, Dustin, Furry, Killian, Manning, Minto, Moore of Washington, Shedd and Stephenson—9.

Absent—Messrs. Blundell, Botkin, Crook, Gambee, Garfield, Hall, Hansard, Henry, Littig, Montgomery, Morey, Mulkey, Reed, Thompson and Weed—15.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The chair appointed as house members on committee under house concurrent resolution No. 25, Messrs. Story, Miller, Butler, and Gambee.

Senate bill No. 209 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Butler, Coleman, Durham, Fox, Furry, Gambee, Hansard, Hardy, Hartman, Jennings, Johnston, Killian, Lamson, Littig, McAlister, McCall, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—46.

Nays—Mr. Manning—1.

Absent—Messrs. Botkin, Crook, Dustin, Garfield, Hall, Henry, Holmes, Leeper, McCoy, Miller, Montgomery, Morey and Reed—13.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 109 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Furry, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stewart, Stillwell, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—47.

Nays—Messrs. Dustin, Snider and Stephenson—3.

Absent—Messrs. Crook, Fox, Gambee, Garfield, Hall, Lamson, Meussdorffer, Montgomery, Miller and Story—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 51 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Leeper, Littig, Manning, McAlister, McCall, McCoy, Merritt, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Fox, Gambee, Garfield, Hall, Lamson, McCracken, Meussdorffer, Miller, Montgomery, Paquet and Thomas—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 146 coming on for third reading, on motion of Mr. Holmes, was indefinitely postponed.

Mr. McCall introduced the following joint resolution, and moved its adoption:

HOUSE JOINT RESOLUTION NO. 14.

Whereas the first biennial report of the state board of horticulture to this legislature contains comprehensive and carefully prepared information, treating upon the various destructive insect pests which are proving so damaging to the horticultural interests of Oregon; and

Whereas it will conduce greatly to the benefit of the orchardists of the state if permitted to obtain the information contained in the aforesaid report; therefore, be it

Resolved by the House, the Senate concurring:

That the secretary of state be and is hereby authorized and directed to cause to be printed ten thousand copies for distribution among the fruit growers and others interested in horticultural pursuits of Oregon of the biennial report of the state board of horticulture.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Botkin, Butler, Crook, Durham, Dustin, Furry, Hardy, Littig, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton,

Moore of Washington, Richey, Snider, Starr, Stillwell, Story, Weed, Welch, and Mr. Speaker—29.

Nays—Messrs. Barrett, Coleman, Hansard, Hartman, Henry, Holmes, Jennings, Lamson, Leeper, McAlister, Mulkey, Myer, Paquet, Stephenson, Stewart, Thomas, Thompson, Tracy and Wilkins—19.

Absent—Messrs. Fox, Gambee, Garfield, Hall, Johnston, Killian, Miller, Montgomery, Morey, Reed, Shedd and Wright—12.

So house joint resolution No. 14 failed of adoption.

On motion of Mr. Minto, the house adjourned.

EVENING SESSION.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 20, 1891. }

The house was called to order at 7:30 o'clock P. M., Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Crook, Garfield, Hartman, McAlister, Montgomery, Moor of Benton, Moore of Washington, and Morey.

Mr. Blundell moved that the rules be suspended and senate bill No. 116 read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Blundell, Botkin, Butler, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Holmes, Johnston, Lamson, Leeper, Littig, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Snider, Starr, Stewart, Stillwell, Story, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—46.

Nays—Messrs. Coleman, Henry, Jennings, Killian, Manning, Stephenson and Thompson—7.

Absent—Messrs. Barnes, Barrett, Garfield, Minto, Montgomery, Shedd and Thomas—7.

So the rules were suspended and senate bill No. 116 read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Butler, Fox, Gambia, Hall, Hansard, Hardy, Hartman, Holmes, Johnston, Littig, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Morey, Myer, Mulkey, Paquet, Reed, Richey, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Welch and Wright—35.

Nays—Messrs. Barrett, Botkin, Coleman, Durham, Dustin, Furry, Jennings, Killian, Lamson, Leeper, Manning, McCoy, Moore of Washington, Shedd, Snider, Stephenson, Thompson, Weed, Wilkins, and Mr. Speaker—20.

Absent—Messrs. Crook, Garfield, Henry, Minto and Montgomery—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Thompson moved that the vote be reconsidered by which senate bill No. 105 was passed.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Botkin, Butler, Coleman, Dustin, Furry, Gambia, Hansard, Henry, Holmes, Jennings, Killian, Lamson, McCall, McCracken, Moor of Benton, Mulkey, Paquet, Richey, Shedd, Thompson, Wilkins, Wright, and Mr. Speaker—25.

Nays—Messrs. Baker, Barrett, Durham, Fox, Hall, Hardy, Hartman, Johnston, Leeper, Manning, McAlister, McCoy, Merritt, Meussdorffer, Miller, Moore of Washington, Morey, Myer, Reed, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Tracy, Weed and Welch—28.

Absent—Messrs. Blundell, Crook, Garfield, Littig, Minto, Montgomery and Stewart—7.

So the motion to reconsider was lost.

Mr. Hall moved that the rules be suspended and senate bill No. 166 read the second time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Furry, Gambia, Hall, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Crook, Fox, Garfield, Hardy, Minto, Montgomery and Stillwell—7.

So the rules were suspended, the bill read the second time, and passed to third reading.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,)
SALEM, Oregon,)
February 20, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bill No. 306, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

On motion, the house took up the second reading of senate bills.

SECOND READING OF SENATE BILLS.*

Senate bill No. 225 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 175 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 204 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 220 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 21 coming on for second reading, was read the second time and passed to third reading.

On motion of Mr. Henry, the bill was referred to the committee on education, with leave to report at any time.

Senate bill No. 223 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 97 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 214 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 20 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 157 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 169 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 185 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 224 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 196 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 180 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 188 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 226 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 114 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 55 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 190 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 217 coming on for second reading, was read the second time and passed to third reading.

Senate bill No. 211 coming on for second reading, was read the second time and passed to third reading.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 20, 1891.

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bills Nos. 123, 130, 282 and 290, and house concurrent resolution No. 27, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house bills Nos. 123, 130, 282, 290, and house concurrent resolution No. 27, and soon thereafter stated that he had so signed.

Senate bill No. 166 coming on for a third reading, was read the third time.

On motion of Mr. Starr, the bill was referred to committee on judiciary, with leave to report at any time.

Mr. McCoy moved that the rules be suspended and senate bill No. 225 be read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Richey, Shedd Snider, Starr, Stephenson, Sewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Garfield, Henry, Holmes, Montgomery and Reed—5.

So the rules were suspended and senate bill No. 225 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Henry, Holmes, Montgomery and Reed—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Moor of Benton moved that the rules be suspended and senate bill No. 175 be read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Furry, Gambee, Hall, Hansard, Hardy, Henry, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, and Mr. Speaker—47.

Nays—None.

Absent—Messrs. Crook, Fox, Garfield, Hartman, Holmes, Killian, Minto, Montgomery, Paquet, Reed, Stephenson, Thompson and Wright—13.

So the rules were suspended and senate bill No. 175 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barrett, Botkin, Durham, Dustin, Gambee, Hardy, Johnston, Killian, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Reed, Richey, Starr, Stephenson, Stewart, Stillwell and Weed—28.

Nays—Messrs. Baker, Barnes, Blundell, Butler, Coleman, Furry, Hall, Hansard, Holmes, Jennings, Lamson, Leeper, Myer, Shedd, Thomas, Thompson, Tracy, Welch, Wilkins, and Mr. Speaker—20.

Absent—Messrs. Crook, Fox, Garfield, Hartman, Henry, Minto, Montgomery, Mulkey, Paquet, Snider, Story and Wright—12.

So the bill failed to pass.

Senate bill No. 204 coming on for third reading, on motion of Mr. Jennings, was indefinitely postponed.

Mr. Gambee moved that the rules be suspended and senate bill No. 220 be read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnson, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Minto and Montgomery—2.

So the rules were suspended, and on motion of Mr. Thomas, further consideration of senate bill No. 220 was indefinitely postponed.

Mr. Gambee moved that the rules be suspended and senate bill No. 223 be read the third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall,

McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Minto and Montgomery—2.

So the rules were suspended and senate bill No. 223 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—Mr. Stephenson—1.

Absent—Messrs. Crook, Garfield, McCoy, Minto and Montgomery—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on judiciary submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
January 20, 1891. }

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill No. 166, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out the word "each" in line 10 of the printed bill, and insert in lieu thereof the words "the following."

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report with amendment was adopted. Senate bill No. 166 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Crook, Durham, Fox, Furry, Gambee, Hall, Hardy, Hartman, Johnston, Littig, McAlister, McCracken, Meussdorffer, Miller, Moor of Benton, Morey, Mulkey, Paquet, Reed, Richey, Starr, Stewart, Stillwell, Story, Thomas, Tracy and Wright—33.

Nays—Messrs. Armstrong, Coleman, Hansard, Holmes, Jennings, Killian, Lamson, Leeper, Manning, McCall, McCoy, Moore of Washington, Myer, Shedd, Snider, Stephenson, Thompson, Weed, Welch, Wilkins, and Mr. Speaker—21.

Absent—Messrs. Dustin, Garfield, Henry, Merritt, Minto and Montgomery—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. McCoy moved to suspend the rules and read senate bill No. 97 the third time now and place it on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Minto and Montgomery—2.

So the rules were suspended.

Senate bill No. 97 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Butler, Durham, Dustin, Fox, Furry, Gambee, Hansard, Hartman, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Manning, McAlister, McCoy, McCracken, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Shedd, Snider, Starr, Stewart, Stillwell, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—43.

Nays—Messrs. Hall, Littig, Merritt, Meussdorffer, Paquet, Stephenson and Thomas—7.

Absent—Messrs. Blundell, Coleman, Crook, Garfield, Hardy, Henry, McCall, Minto, Montgomery and Story—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Baker moved that the rules be suspended and senate bill No. 214 read the third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambia, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Richey, Reed, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Minto and Montgomery—2.

So the rules were suspended and senate bill No. 214 read the third time.

On motion of Mr. Welch, further consideration of senate bill No. 214 was indefinitely postponed.

On motion of Mr. McCoy, the motion by which senate bill No. 214 was indefinitely postponed was reconsidered.

Mr. Richey moved the previous question, which prevailed.

Senate bill No. 214 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Botkin, Coleman, Dustin, Gambia, Hardy, Hartman, Holmes, Jennings, McAlister, McCracken, Meussdorffer, Morey, Paquet, Richey, Stewart, Stillwell, Story, Thompson, Weed, Wilkins, Wright, and Mr. Speaker—26.

Nays—Messrs. Butler, Durham, Fox, Furry, Hall, Hansard, Henry, Killian, Lamson, Leeper, Manning, McCoy, Merritt, Miller, Moor of Benton, Moore of Washington, Myer, Mulkey, Reed, Snider, Starr, Stephenson, Thomas, Tracy, Weed [?] and Welch—25.

Absent—Messrs. Blundell, Crook, Garfield, Johnston, Littig, McCall, Minto, Montgomery and Shedd—9.

So the bill failed to pass.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills Nos. 8, 30, 34, 84, 92, 96, 100, 112, 138, 163, 179, 193, 197, 215 and 227 are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.
O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 8, 30, 34, 84, 92, 96, 100, 112, 138, 163, 179, 193, 197, 215 and 227, and soon thereafter stated that he had so signed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 258.

And the same is herewith transmitted to you for enrollment.
O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 294.

And the same is herewith transmitted to you for enrollment.
O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bill No. 179.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bill No. 285.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bill No. 174.

And the same is herewith returned to you for enrollment.

O. P. MILLER,
Chief clerk.

The committee on education submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker :

Your committee on education, to whom was referred senate bill No. 21, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the house with the recommendation that it do pass with the following stricken out:

AMENDMENT.

Strike out the last five lines of section 7.

AMENDMENT.

Also in section 8 strike out the following: "Every registered pharmacist, during the time he continues such practice of his profession, shall annually, on such date as the board of pharmacy may determine, pay to the secretary of said board the registration fee of one dollar, in return for which he shall receive a renewal of said registration."

J. E. BLUNDELL,
Chairman.

J. F. HENRY.

On motion of Mr. Blundell, the report with amendments was adopted.

Mr. McCoy moved that the rules be suspended and senate bill No. 20 read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Minto and Montgomery—2.

So the rules were suspended and senate bill No. 20 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Dustin, Fox, Furry, Gambee, Garfield, Hardy, Holmes, Jennings, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCra-

ken, Merritt, Meussdorffer, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Wilkins, Wright, and Mr. Speaker—45.

Nays—Mr. Welch—1.

Absent—Messrs. Baker, Crook, Durham, Hall, Hansard, Hartman, Henry, Johnston, Killian, Miller, Minto, Montgomery, Stewart and Weed—14.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Wilkins moved that the rules be suspended and senate bill No. 157 be read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Johnston, Minto and Montgomery—3.

So the rules were suspended and senate bill No. 157 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Blundell, Botkin, Butler, Dustin, Fox, Gambee, Hansard, Hardy, Hartman, Holmes, Lamson, Leeper, Littig, Manning, McCracken, Merritt, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Richey, Shedd, Starr, Stillwell and Thompson—29.

Nays—Messrs. Armstrong, Barrett, Coleman, Furry, Jennings, Morey, Snider, Stephenson, Story, Thomas, Welch, Wilkins, and Mr. Speaker—13.

Absent—Messrs. Crook, Durham, Garfield, Hall, Henry, Johnston, Killian, McAlister, McCall, McCoy, Meussdorffer, Miller, Montgomery, Reed, Stewart, Tracy, Weed and Wright—18.

So the bill failed to pass.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bills Nos. 188 and 291.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has concurred in the adoption of the house amendments to senate bill No. 166.

O. P. MILLER,
Chief clerk.

Mr. Shedd moved that the rules be suspended and senate bill No. 169 be read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Johnston and Montgomery—2.

So the rules were suspended and senate bill No. 169 read the third time and placed on final passage.

On motion of Mr. Barrett, a call of the house was ordered.

The roll was called, and the absentees were Messrs. Crook, Garfield and Montgomery.

The sergeant-at-arms soon appeared with the absent members.

On motion of Mr. Welch, further call of the house was dispensed with.

Senate bill No. 169 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Furry, Gambee, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stewart, Story, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—48.

Nays—Messrs. Stephenson, Stillwell and Thomas—3.

Absent—Messrs. Crook, Dustin, Fox, Garfield, Hall, Manning, McAlister, McCall and Montgomery—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Miller moved that the rules be suspended and senate bill No. 185 read the third time and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Crook, Garfield, Johnston and Montgomery—4.

So the rules were suspended and senate bill No. 185 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—Mr. Hansard—1.

Absent—Messrs. Fox and Montgomery—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Welch moved that the rules be suspended and senate bill No. 224 read the third time now and placed on its final passage.

On motion of Mr. Wright, further consideration of senate bill No. 224 was indefinitely postponed.

Mr. Welch moved that the rules be suspended and senate bill No. 196 read the third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Crook, Garfield, Johnston and Montgomery—4.

So the rules were suspended.

Senate bill No. 196 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Fox, Garfield, McCracken, Merritt, Meussdorffer and Montgomery—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Miller moved that the rules be suspended and senate bill No. 180 be read the third time now and placed on its final passage.

On motion of Mr. Barrett, senate bill No. 180 was referred to committee on judiciary, with leave to report at any time.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 64.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 261.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

Mr. Thomas moved that the rules be suspended and senate bill No. 188 read the third time and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—Mr. Hartman—1.

Absent—Messrs. Crook, Garfield, and Montgomery—3.

So the rules were suspended.

Senate bill No. 188 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Botkin, Butler, Durham, Dustin, Furry, Gambee, Hall, Hansard, Holmes, Jennings, Johnston, Killian,

Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—44.

Nays—Messrs. Armstrong, Coleman, Henry, Shedd, Snider, Thompson and Welch—7.

Absent—Messrs. Blundell, Crook, Fox, Garfield, Hardy, Hartman, McCoy, Meussdorffer and Montgomery—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on judiciary submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 20, 1891. }

Your committee on judiciary, to whom was referred house bill No. 180, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

JOHN H. HALL,
Chairman.

On motion of Mr. Hall, the report was adopted.

Mr. Henry moved that the rules be suspended and senate bill No. 226 read the third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Crook, Garfield and Montgomery—3.

So the rules were suspended and senate bill No. 226 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambée, Hall, Hansasard, Hardy, Hartman, Henry, Holmes, Jennings, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—52.

Nays—Mr. Morey—1.

Absent—Messrs. Fox, Garfield, Johnston, Montgomery, Myer, Mulkey and Thompson—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Wright, the motion by which senate bill No. 164 was laid on the table was reconsidered.

On motion of Mr. Wright, senate bill No. 164 was referred to the committee on fisheries, with leave to report at any time.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 241.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 169.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

Mr. Barrett moved that the rules be suspended and senate bill No. 114 be read the third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—56.

Nays—Mr. Manning—1.

Absent—Messrs. Crook, Garfield and Montgomery—3.

So the rules were suspended and senate bill No. 114 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Durham, Gambee, Hall, Hansard, Lamson, Leeper, Littig, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Reed and Starr—25.

Nays—Messrs. Barnes, Coleman, Hartman, Holmes, Jennings, Killian, Manning, McAlister, McCall, Paquet, Shedd, Snider, Stephenson, Stewart, Story, Thomas, Thompson, Tracy, Welch, Wilkins, Wright, and Mr. Speaker—22.

Absent—Messrs. Crook, Dustin, Fox, Furry, Garfield, Hardy, Henry, Johnston, Montgomery, Mulkey, Richey, Stillwell and Weed—13.

So the bill failed to pass.

Mr. Thomas moved that the rules be suspended and senate bill No. 55 read the third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Crook, Garfield and Montgomery—3.

So the rules were suspended and senate bill No. 55 read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Blundell, Botkin, Butler, Durham, Fox, Gambee, Hall, Littig, Manning, McCall, McCoy, McCracken, Morey, Starr, Story, Thomas and Welch—19.

Nays—Messrs. Barnes, Barrett, Coleman, Dustin, Furry, Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Lamson, Leeper, McAlister, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Stephenson, Stewart, Stillwell, Thompson, Tracy, Wilkins, [Wright], and Mr. Speaker—34.

Absent—Messrs. Crook, Garfield, Hardy, Killian, Montgomery, Weed and Wilkins—7.

So the bill failed to pass.

The committee on fisheries submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 20, 1891. }

Mr. Speaker:

Your committee on fisheries, to whom was referred senate bill No. 164, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

A. W. REED,
Chairman.

On motion of Mr. Reed, the report was adopted.

Mr. Henry moved that the rules be suspended and senate bill No. 190 be read the third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Crook, Garfield and Montgomery—3.

So the rules were suspended and senate bill No. 190 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barnes, Blundell, Botkin, Butler, Coleman, Crook, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Moor of Benton, Morey, Myer, Mulkey, Paquet, Reed, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—49.

Nays—Messrs. Armstrong, Hansard, Miller and Minto—4.

Absent—Messrs. Baker, Barrett, Durham, Hardy, Montgomery, Moore of Washington and Richey—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills Nos. 9, 109, 176, 208, 209, 223 and 225, are reported as correctly enrolled.

And the same are herewith returned to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos 9, 109, 176, 208, 209, 223 and 225, and soon thereafter stated that he had so signed.

Mr. Henry moved that the rules be suspended and senate bill No. 217 be read the third time now and placed on its final passage.

On motion of Mr. Shedd, further consideration of senate bill No. 217 was indefinitely postponed.

Mr. Gambee moved that the rules be suspended and senate bill No. 211 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hall, Hardy,

Hansard, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Crook, Garfield and Montgomery—3.

So the rules were suspended and senate bill No. 211 read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Richey, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—54.

Nays—Messrs. Holmes, Paquet and Welch—3.

Absent—Messrs. Fox, Montgomery and Shedd—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bills Nos. 123, 130, 282, 290, 59, 2, 119, 168, 146, house concurrent resolution No. 22, house concurrent resolution No. 27, and house joint resolution No. 13.

And the same are herewith returned to you.

O. P. MILLER,
Chief clerk.

Mr. Hardy moved that the rules be suspended and senate bill No. 21 be read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAllister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Mulkey, Myer, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Crook, Garfield and Montgomery—3.

So the rules were suspended and senate bill No. 21 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Blundell, Botkin, Butler, Fox, Gambee, Hall, Hartman, Holmes, Johnston, Killian, Lamson, Littig, McAllister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Morey, Myer, Richey, Starr, Stewart, Thomas, Weed, Welch, Wilkins, Wright, and Mr. Speaker—32.

Nays—Messrs. Barnes, Barrett, Coleman, Durham, Dustin, Furry, Hansard, Leeper, Manning, Meussdorffer, Moore of Washington, Mulkey, Paquet, Shedd, Snider, Stephenson, Stillwell, Thompson and Tracy—19.

Absent—Messrs. Armstrong, Crook, Garfield, Hardy, Henry, Jennings, Montgomery, Reed and Story—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Reed moved that the rules be suspended and senate bill No. 180 be read the third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes Barrett, Blundell, Botkin, Butler, Coleman, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Crook, Garfield and Montgomery—3.

So the rules were suspended.

Mr. Manning moved that further consideration of senate bill No. 180 be indefinitely postponed.

Motion lost.

Senate bill No. 180 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Hansard, Jennings, Johnston, Leeper, Littig, McAlister, McCall, McCoy, McCracken, Merritt, Miller, Minto, Moor of Benton, Moore of Washington, Mulkey, Richey, Shedd, Starr, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—39.

Nays—Messrs. Hartman, Holmes, Lamson, Manning, Morey, Myer, Paquet, Snider, Stephenson and Welch—10.

Absent—Messrs. Armstrong, Blundell, Garfield, Hall, Hardy, Henry, Killian, Meussdorffer, Montgomery, Reed and Stewart—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker announced that he was about to sign house bill No. 306, and soon thereafter stated that he had so signed.

Senate bill No. 164 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Gambee, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAllister, McCall, McCoy, McCracken, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stephenson, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—53.

Nays—Messrs. Merritt and Snider—2.

Absent—Messrs. Furry, Garfield, Meussdorffer, Montgomery and Stewart—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. McCracken, the vote by which senate bill No. 172 was lost was reconsidered.

Senate bill No. 172 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barnes, Blundell, Botkin, Butler, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hartman, Holmes, Johnston, Killian, Littig, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Morey, Mulkey, Reed, Richey, Snider, Starr, Stephenson, Stillwell, Story, Tracy, Weed, Welch, Wright, and Mr. Speaker—39.

Nays—Messrs. Barrett, Coleman, Durham, Henry, Jennings, Lamson, Leeper, Manning, McAllister, Moore of Washington, Myer, Paquet, Shedd, Thomas, Thompson and Wilkins—16.

Absent—Messrs. Crook, Garfield, Hardy, Montgomery and Stewart—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Holmes moved to reconsider the motion by which the motion to indefinitely postpone senate bill No. 88 was laid on the table.

The motion was lost.

The committee appointed under house resolution No. 41 submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 20, 1891. }

Mr. Speaker:

Your committee, appointed under house resolution No. 41, to fix the per diem of the officers of this house, beg leave to submit the following report:

We find that more bills have been introduced into this house than in any preceding session.

That at previous sessions from seventy-five to one hundred bills have failed of consideration for want of time. We are pleased to state that owing to the efficiency of the clerks, assisted by our most excellent and able speaker, the house will have no house bills on third reading at the close of the session, notwithstanding the fact that four days were spent in consideration of one bill.

We also find that the senate has allowed their clerks the sums fixed by us in this report, and that the work of a clerk in this body is much greater than in the senate; we have, therefore, fixed the compensation as follows:

Chief clerk, \$10 per day.

First assistant clerk, \$10 per day.

Calendar clerk, \$10 per day.

Sergeant-at-arms, \$8 per day.

Doorkeeper, \$6 per day.

Assistant doorkeeper, \$5 per day.

Pages, \$4 per day.

Mail messenger, \$6 per day.

Copying clerk, \$4 per day.

The duties of the reading clerk of this house has been onerous and most exceedingly well discharged. In fact, to his close attention to business, rapid and audible reading, is mainly due the very successful dispatch of our business. We think his method of reading bills for incorporating municipalities has been worth thousands of dollars to the state.

We, therefore, recommend that he be paid a sum for his services equal to that received by the chief clerk at the close of his labors; and we further recommend that the chief clerk be authorized to procure such assistance as he shall deem necessary for the work, and shall be allowed time not exceeding that mentioned in house resolution No. 50.

E. O. McCOY,
J. A. WRIGHT,
W. H. HOLMES,
Committee.

On motion of Mr. McCoy, the report was adopted.

Mr. Gambee introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 54.

Resolved, That a committee of three, to consist of the speaker of the house and two representatives, to be appointed by the speaker, be and the same is hereby authorized and empowered to meet at the state capitol at such times as said committee may designate, to consider and report a bill upon the subject of assessment and taxation, which committee is hereby empowered to sit not to exceed thirty days; to employ a clerk for such time; to have their report printed, which report shall, when printed, be filed in the office of the secretary of state and to be by him transmitted to the next legislative assembly of this state on the first day of its session.

Resolved, further, That when said report is printed, a copy thereof shall be mailed to each member of this legislative assembly, each county judge, commissioner, assessor, and each publisher of any newspaper of this state.

On motion of Mr. Paquet, the resolution was laid on the table.

Mr. Moor of Benton introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 55.

Resolved, That a vote of thanks be extended to Hon. T. T. Geer, speaker of this house, for the prompt, efficient, and intelligent manner in which he has presided over the deliberations of this body.

The resolution was unanimously adopted.

Mr. Botkin introduced the following resolution, and moved its adoption:

HOUSE RESOLUTION NO. 56.

Resolved, That the thanks of this house are due, and the same are hereby tendered, to the Hon. T. T. Geer, speaker, for the able and impartial and efficient manner in which he has at all times discharged the responsible duties of his position as presiding officer of this body, and we, his associates, will ever bear in grateful remembrance the uniform courtesy shown us during the session now about to close, and we hereby tender him our heartfelt thanks and best wishes for his future success.

The resolution was adopted.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has adopted senate concurrent resolution No. 13.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 222.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has concurred in the adoption of the house amendments to senate bill No. 172.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has concurred in the adoption of house amendments to senate bill No. 21.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker :

I am directed by the president to inform you that he has signed house bill No. 306.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker :

I am directed by the president to inform you that the senate has passed house bills Nos. 279 and 231.

And the same are herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 20, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bills Nos. 57, 64, 103, 116, 120, 156, 174, 179, 188, 291 and 241, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house bills Nos. 57, 64, 103, 116, 120, 156, 174, 179, 188, 291, 241, and soon thereafter stated that he had so signed.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, Oregon, }
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 55.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

Mr. Botkin introduced the following resolution, and moved its adoption:

HOUSE RESOLUTION NO. 57.

Resolved, That we hereby express our grateful appreciation for the uniform kindness and constant attention to duty which have characterized the chief clerk, his assistants, sergeant-at-arms, door-keeper, pages, and all other officers of the house; and our hope is that while success may attend their future lives, they may ever look back, as we shall, to the legislative session of 1891 as one where social friendships were formed whose pleasant memories will go with us through future life.

The resolution was adopted.

Mr. Gambee introduced the following resolution, and moved its adoption:

HOUSE RESOLUTION NO. 58.

Resolved, That we, the democratic minority of the house of representatives, in consideration of the uniform kindness and courtesy extended us by the republican majority of this house, cannot depart for our homes without expressing to them our gratitude for their actions toward us, and in separating assure them that their kindness will be ever cherished by us.

The resolution was adopted.

Mr. Miller introduced the following resolution, and moved its adoption :

HOUSE RESOLUTION NO. 59.

Resolved, That the thanks of this body are tendered to the reporters of the various newspapers for their fair, honest, and correct reports of our proceedings, and for their uniform courtesy to the officers and individuals of this body.

The resolution was adopted.

Mr. Jennings introduced the following resolution, and moved its adoption :

HOUSE RESOLUTION NO. 60.

Resolved, That the secretary of state be and is hereby instructed to forward as soon as may be by mail a copy of house joint memorial No. 1, which has duly passed the house and senate and been signed by the speaker of the house February 3, 1891, and by the president of the senate February 3, 1891.

The resolution was adopted.

On motion of Mr. Morey, a call of the house was ordered.

The roll was called, and the absentees were Messrs. Barrett, Botkin, Garfield, Hall, Hardy, Hartman, Littig, Manning, Montgomery, Moor of Benton, Mulkey, Shedd, Snider and Stillwell.

The sergeant-at-arms soon appeared with the absent members.

On motion of Mr. Gambee, further call of the house was dispensed with.

The speaker invited Mr. Coleman to the chair.

On motion of Mr. Paquet, the vote by which senate bill No. 94 was lost was reconsidered.

Senate bill No. 94 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Butler, Durham, Fox, Gambee, Hall, Hartman, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt,

Muessdorffer, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—44.

Nays—Messrs. Coleman, Dustin, Furry, Hardy and Jennings—5.

Absent—Messrs. Barnes, Crook, Garfield, Hansard, Henry, Holmes, McCoy, Miller, Montgomery, Shedd and Snider—11.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The speaker resumed the chair.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 288.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills Nos. 51, 63, 97, 116, 166, 169, 185, 188, 190 and 226 are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 51, 63, 97, 116, 166, 169, 185, 188, 190 and 226, and soon thereafter stated that he had so signed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed

house bills Nos. 291, 179, 120, 241, 103, 156, 57, 174, 188, 64 and 116.

And the same are herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

Mr. Paquet was called to the chair.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 189.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

The speaker resumed the chair.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bills No. 177, 178, 211, 196, 180, and 164 are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 177, 178, 211, 196, 180, and 164, and soon thereafter stated that he had so signed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate joint resolution No. 13.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

SENATE JOINT RESOLUTION NO. 13.

Resolved by the Senate, the House concurring:

That rule 11 of the joint rules of the house and senate be suspended so as to permit senate bill No. 191, creating a state board of equalization, to be sent for concurrence to the house.

Mr. Barrett moved that the house concur in the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barrett, Botkin, Butler, Durham, Dustin, Fox, Furry, Gambee, Hall, Hansard, Hartman, Holmes, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Reed, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—44.

Nays—Messrs. Armstrong, Coleman, Hardy, Henry, Killian, Shedd and Thompson—7.

Absent—Messrs. Barnes, Blundell, Crook, Garfield, Jennings, Montgomery, Paquet, Richey and Snider—9.

So the house concurred in senate joint resolution No. 13.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed senate bill No. 191, a bill for an act to provide for a state board of equalization, to prescribe the manner of its creation, and its power and duties.

And the same is herewith transmitted to you for the consideration of the house.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 199.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 299.

And the same is herewith transmitted to you for enrollment.

O. P. MILLER,
Chief clerk.

Mr. Barrett moved that the rules be suspended and senate bill No. 191 be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Coleman, Durham, Fox, Furry, Gambee, Hall, Hansard, Hardy, Hartman, Holmes, Jennings, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Wilkins, Wright, and Mr. Speaker—45.

Nays—Messrs. Killian, Stephenson and Thompson—3.

Absent—Messrs. Barnes, Blundell, Crook, Dustin, Garfield, Henry, McCall, McCoy, Montgomery, Shedd, Snider and Welch—12.

So the rules were suspended and the bill read the first time by title, and passed to second reading.

Mr. Hansard's motion to adjourn was lost.

Mr. Barrett moved that the rules be suspended, and senate bill No. 191 be read the second time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Durham, Fox, Gambee, Hall, Hartman, Holmes, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Starr, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wright, and Mr. Speaker—39.

Nays—Coleman, Dustin, Furry, Hansard, Hardy, Henry, Jennings, Killian, Shedd, Stephenson and Thompson—11.

Absent—Messrs. Barnes, Blundell, Crook, Garfield, McCall, McCoy, Montgomery, Snider, Stewart and Wilkins—10.

So the rules were suspended and senate bill No. 191 was read the second time.

Mr. Barrett moved that the rules be further suspended, and senate bill No. 191 be considered engrossed, read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Butler, Durham, Fox, Gambee, Hall, Hansard, Hartman, Holmes, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Paquet, Reed, Starr, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—40.

Nays—Messrs. Coleman, Dustin, Furry, Hardy, Henry, Jennings, Killian, Mulkey, Richey, Shedd, Stephenson and Thompson—12.

Absent—Messrs. Barnes, Blundell, Crook, Garfield, McCoy, Montgomery, Snider and Stewart—8.

So the rules were suspended and senate bill No. 191 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Armstrong, Baker, Barrett, Botkin, Durham, Fox, Gambee, Hall, Hardy, Hartman, Holmes, Johnston, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Starr, Stewart, Stillwell, Story, Thomas, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—42.

Nays—Messrs. Butler, Coleman, Dustin, Furry, Hansard, Jennings, Killian, Richey, Shedd, Stephenson and Thompson—11.

Absent—Messrs. Barnes, Blundell, Crook, Garfield, Henry, Montgomery and Snider—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bills Nos. 261, 258, 237, 231, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign house bills Nos. 261, 258, 237, and 231, and soon thereafter stated that he had so signed.

On motion of Mr. Wright, the house adjourned.

R. R. HAYS,
Chief clerk.

SATURDAY, FEBRUARY 21, 1891.

MORNING SESSION.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 21, 1891. }

The house was called to order at 9 o'clock A. M., Mr. Speaker in the chair.

The roll was called.

All the members were present except Messrs. Baker, Barnes, Dustin, Montgomery, Moor of Benton, Reed, Shedd and Tracy.

On motion of Mr. McCoy, the reading of the journal was dispensed with.

Mr. Killian introduced the following resolution, and moved its adoption:

HOUSE RESOLUTION NO. 61.

Resolved, That the committee appointed to examine and approve the journal be allowed eight dollars a day for the time provided by the resolution of this house.

The resolution was adopted.

Mr. Butler introduced the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 62.

Resolved, That the house allow the assistant doorkeeper the same per diem that we pay the doorkeeper, viz., six dollars per day.

Resolution adopted.

The committee appointed under senate concurrent resolution No. 5, submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February, 1891. }

Mr. Speaker:

We, your committee appointed under senate concurrent resolution No. 5, to examine the books and accounts of the secretary of state, beg leave to report that we met on the nineteenth day of January, 1891, and appointed Messrs. F. A. Metz, M. J. Connor, and S. T. Richardson as clerks; Mr. S. T. Richardson being selected as chief clerk.

The clerks were instructed to carefully examine and compare the abstract books, fund books, ledgers and vouchers, and other papers, in such manner as to test the accuracy of every account.

We have in this manner carefully examined all the accounts of the office paid or allow during the biennial term ended December 31, 1891, such accounts being shown by a total of forty-three thousand one hundred and twenty-six entries, items, receipts, vouchers, and warrants.

We have carefully compared the stubs of the warrant-books with the corresponding entries in the books of abstracts of warrants and sub-fund books, and with the amounts carried to the ledger, together with the vouchers on file in the office upon which each warrant was drawn, and find them correct and promptly entered and verified.

The duplicate receipts of the state treasurer, filed in the office of the secretary of state, have been properly entered in the appropriate columns, and the totals thereof accurately made on the ledger. As a general result of our investigations, we find the books and accounts in a very satisfactory condition, the records having been skilfully and accurately kept, and the system of accounting having been so classified and simplified as to enable the accountants to properly dispose of the large volume of business connected with the auditing department.

The general records, papers and files pertaining to the office are arranged on a system which admits of ready reference, and careful provisions have been made for their safety. The records, files and correspondence indicate that a large amount of work has been done

in listing and classifying claims against the general government for the expenses of this state in the Indian wars of 1877 and 1878, and the war of the rebellion. We note also that many boxes of old papers relating to the early Indian wars have been partially classified and arranged, with a view to the ascertainment of the services of the soldiers in such wars. The work thus done has been accomplished at much less than the usual expenditures for labor of that character, and we believe that especial commendation is due the secretary of state for the zeal and thoroughness with which he has prosecuted the claims of the state. We find that the business of the office has greatly increased during the last two years, there being an increase in every department, but especially in the amount of correspondence requiring the personal attention of the secretary of state.

We therefore endorse the request made by the secretary of state in his biennial report for more clerical aid, and recommend that an additional appropriation be made for the employment of a stenographer and for additional service in the auditing department.

The contracts let and the work performed under the supervision of the secretary of state in the improvement of the capitol building and grounds during the past two years, show that especial care and economy have been exercised in the expenditure of the fund appropriated for those purposes.

The general repairs and the improvement of the grounds have been made at a very reasonable expense, and the improvement of the state library has been made in the best style and at a saving of more than two thousand dollars under the estimates submitted two years ago.

The improved sewerage system has been made at a cost several hundred dollars less than the estimates.

The committee feels it due to a careful officer to note these evidences of honest and economical management of the public funds, as we should be prompt to denounce any dereliction of duty. The clerks in the several departments deserve honorable mention for the neatness and accuracy with which they have kept the records and papers entrusted to their care.

Respectfully submitted.

JASPER WILKINS,
Chairman on part of house,
J. A. BAKER,
J. C. FULLERTON,
Chairman on part of senate,
HENRY BLACKMAN,
E. B. GAMBEE.

On motion of Mr. Wilkins, the report was adopted.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 21, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has appointed under house concurrent resolution No. 25, on the part of the senate, Messrs. Fullerton and Eakin.

O. P. MILLER,
Chief clerk.

The committee on agriculture submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

Your committee on agriculture, to whom was referred the reports of the state weather bureau, beg leave to report that they have had the subject under consideration, and have come to the following conclusion:

First—That the whole thing seems to be at present used by solicitation on this floor, and by items in the press (we must consider suggested), to advance the personal interests of the officer in charge of the United States signal service station at Portland, Oregon. Acknowledging the beauty and adaptation of the instruments used in the office at the central office of the United States signal service at Portland, we believe Oregon has been in the past sufficiently generous in giving money for the purchase of those fine instruments, and regard any sum above five hundred dollars from the state of Oregon as so much given to swell the income of the incumbent of the office above that allowed by the United States, which we suppose is in itself sufficient to secure competent service.

Second—We regard the parading of the name of the master of the state grange of Oregon as director of the business of the co-operative signal service in the nature of a stalking-horse, in order to secure state appropriations, by disseminating the impression that a weather bureau is of peculiar assistance to the farmer's occupation; the facts are that such is not the case, and cannot be but to a very limited extent and to a very limited number of farmers. The chief

value of the weather bureau is to furnish the daily press of the state with weather items and authentic statements of the range of temperature and of rainfall in different divisions of the state for publication and the use of those seeking homes here.

Deeming the five hundred dollars herein recommended as ample to pay postage for the dissemination of the reports of the bureau, which are published at the expense of the state, we favor such sum to be included in the general appropriation bill for current expenses of the state.

JOHN MINTO,
Chairman.

I think the chairman is liberal in giving five hundred dollars. I was not in favor of giving anything, but will yield to Mr. Minto and recommend the above amount.

J. C. KILLIAN.

On motion of Mr. Minto, the report was adopted.

SENATE CONCURRENT RESOLUTION NO. 13.

On motion of Mr. Miller, the resolution was read and the house concurred.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 21, 1891. }

Mr. Speaker

I am directed by the president to inform you that senate bills Nos. 20, 21, 94 and 172 are reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 20, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house

bills Nos. 55, 169, 294, 132, 199, 279, 299, 288 and 222, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker announced that he was about to sign senate bills Nos. 20, 21, 94 and 172, and soon thereafter stated that he had so signed.

On motion of Mr. Minto, house joint memorial No. 5 was taken from the table.

The chair announced that he was about to sign house bills Nos. 55, 169, 294, 132, 199, 279, 299, 288 and 222, and soon thereafter stated that he had so signed.

The speaker submitted the following message from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 21, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bills Nos. 261, 258, 237 and 231.

And the same are herewith returned to you.

O. P. MILLER,
Chief clerk.

The committee on enrolled bills submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker:

Your committee on enrolled bills, to whom was referred house bills Nos. 189, 285 and 277, beg leave to report the same back to the house as correctly enrolled.

J. T. STEWART,
Chairman.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 21, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate joint resolution No. 13 is reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign house bills Nos. 189, 285, 277 and senate joint resolution No. 13, and soon thereafter stated that he had so signed.

Mr. Miller introduced the following resolution, and moved its adoption:

HOUSE RESOLUTION NO. 6.

Whereas Carl Gray has been extra efficient as page of this house; therefore be it

Resolved, That his pay shall be five dollars per day.

The resolution was adopted.

Mr. Welch introduced the following resolution, and moved its adoption:

HOUSE RESOLUTION NO. 64.

Resolved, That Guy McPherson and Chester Fox be allowed five dollars per day for services rendered.

The resolution was adopted.

House joint memorial No. 5 was taken up.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Baker, Barnes, Barrett, Blundell, Botkin, Butler, Coleman, Crook, Durham, Dustin, Fox, Furry, Gambee, Garfield, Hall, Hansard, Hardy, Hartman, Henry, Holmes, Johnston, Killian, Lamson, Leeper, Littig, Manning, McAlister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Washington, Morey, Myer, Mulkey, Paquet, Reed, Richey, Shedd, Starr, Stillwell, Story, Thomas, Thompson, Tracy, Weed, Welch, Wilkins, Wright, and Mr. Speaker—54.

Nays—None.

Absent — Messrs. Armstrong, Jennings, Montgomery, Snider, Stephenson and Stewart—6.

So house joint memorial No. 5 was adopted.

The speaker submitted the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 21, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bills Nos. 189, 277 and 285.

And the same are herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 21, 1891. }

Mr. Speaker:

I am directed by the president to inform you that senate bill No. 191 is reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

O. P. MILLER,
Chief clerk.

The speaker announced that he was about to sign senate bill No. 191, and soon thereafter stated that he had so signed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 21, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bills Nos. 169, 294, 132, 222, 288, 55, 199 and 299.

And the same are herewith returned to you.

O. P. MILLER,
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, Oregon,
February 21, 1891. }

Mr. Speaker:

I am directed by the president to inform you that he has signed house bill No. 279.

And the same is herewith returned to you.

O. P. MILLER,
Chief clerk.

The joint committee appointed under house concurrent resolution No. 23 submitted the following report:

REPORT.

HALL OF REPRESENTATIVES,
SALEM, Oregon,
February 20, 1891. }

Mr. Speaker :

Your committee appointed in pursuance of house concurrent resolution No. 23, to examine the books of the Oregon domestic animal commission, and of the board of state reform school building commissioners, has the honor to report that the committee on part of the house, on the day of its appointment, employed a clerk to examine the said books and the vouchers for the expenditures of the board of reform school building commissioners. As a result of this examination, your committee has to report that the accounts and vouchers of said reform school building commissioners have been correctly and lawfully kept.

STATE REFORM SCHOOL.

Your committee has examined the records and minutes of the board of reform school building commissioners, which have been kept with extraordinary care, and contain a detailed account of the transactions and proceedings of said board. It is evident that said board has been prudent and careful in the selection of a suitable site for a reform school building and in its expenditures in the improvement of the property and the construction of the building. We ascertain from the report of said board to this legislative assembly, that no compensation has been drawn by its members for services, nor even for their actual expenses. As this legislative assembly has now fixed the pay of the members of said board at \$250 per year, we recommend that an allowance of \$100 a year for the years 1889 and 1890 be made as compensation for their services and expenses, and that the secretary of state be instructed to draw his warrant for such sums out of the appropriations made for the institution of which said board has control.

OREGON DOMESTIC ANIMAL COMMISSION.

The record of the proceedings of this commission contains a full account of the orders of the commission in regard to matters committed to its care, and is a model of neatness and accuracy. The stock book and ledger contain complete statements of each case passed upon by the commission, the stock book containing appro-

priate cross-references to the reports of the state veterinarian and the correspondence relating to the several affairs recorded therein. The official reports and the letters received by the commission have been carefully classified and afford proof for the large volume of business transacted by the commission which has received the careful attention of its secretary.

The allowance made by the commission for the pay of the state veterinarian, the secretary and the local inspectors, is reasonable, and, in the opinion of your committee, not at all in excess of the fair value of such services.

No appropriation having been made by the last legislature for the expenses of the commission, the certificates thereof remain unpaid.

The certificates of appraisal and the ledger accounts correspond with the entries on the stock book, and all the books and papers of the commission are kept on a system that has greatly facilitated the examination made by your committee.

Respectfully submitted.

F. A. MOORE,

J. H. RALEY,

On the part of the senate.

JOHN FOX,

C. S. DUSTIN,

C. E. MOOR,

On the part of the house.

On motion of Mr. Fox, the report was adopted.

The hour of 10:15 o'clock A. M. having arrived, the speaker arose in his place and addressed the members as follows:

GENTLEMEN: The hour has arrived which must register our separation. I make no attempt to conceal the fact that it is to me an hour fraught more with sadness and regret than with joy or rejoicing.

Forty days ago more than half of you were total strangers to me; to-day I find myself bound to each of you by a tie of friendship and affection that will endure, I trust, while life lasts. On the opening day of the session I asked the co-operation and assistance of every member, remarking that "with such assistance I could not fail, and that without it I need not hope to succeed." Nothing could surpass the pleasure I now feel in being able to declare that I have at all times received that assistance from every gentleman on the floor.

Our session may not have been a continuous "feast of reason," but it has been a never-failing "flow of soul," and has been a season, to me at least, and I believe to you, of benefit, entertainment, and instruction.

Gentlemen, when I lay down this gavel I go to the farm, and hundreds of times each day, whether I am in the field, pasture, or woods, pleasant memories of scenes and events on this floor will fill my mind with a longing for their reproduction. Many times, no doubt, while making fence, perhaps, my ears will be regaled with the stentorian tones of the gentleman from Multnomah clamoring for the "rehabilitation" of the consolidation bill; or the gentleman from Lane appealing to the reading clerk to read more slowly that he may follow the lines of the printed bill; or the gentleman from Grant who went down so ingloriously in an unequal contest against the seductive influences of the drowsy god; or, it may be, that when milking the family cow, we may both be disturbed in our ruminations by the familiar voice of the gentleman from Wallowa inquiring if it was in order for him to "make some remarks"; but above all I fear that when I am trying to sleep the sleep of the just my slumbers will often be drifted into the realms of chaotic nightmare by the ghostly appearance of the senior member from Linn stalking up and down the aisle, insisting with frantic gestures, that "the house do now adjourn."

Gentlemen, the sadness I feel at bidding you good-bye is beyond expression. You have been patient and kind to me without exception as to time or circumstances, and individually and collectively you bear from me to your homes a sincere wish for a career of unbroken happiness and prosperity.

The only duty remaining to me is to declare, as I now do, the sixteenth biennial session of the house of representatives of the legislative assembly of the state of Oregon adjourned without day.

R. R. HAYS,
Chief clerk.

CHIEF CLERK'S CERTIFICATE.

HALL OF REPRESENTATIVES, }
SALEM, Oregon, }
February 21, 1891. }

I, R. R. HAYS, chief clerk of the house of representatives, do hereby certify that the foregoing is a true and correct journal of the proceedings of the house of representatives of the sixteenth biennial session of the legislative assembly of the state of Oregon, from the 12th day of January, 1891, to the 21st day of February, 1891, inclusive.

R. R. HAYS,
Chief clerk.

CERTIFICATE ON APPROVAL.

The committee appointed under house resolution No. 47, to examine, correct, and approve the house journal of the sixteenth biennial session of the legislature of the state of Oregon, having performed that duty, hereby approve the said house journal as being in all essential particulars correct.

T. T. GEER,
A. C. JENNINGS,
JOHN McALISTER,
Committee.

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APPENDIX.

GOVERNOR'S MESSAGE.

.....

MESSAGE.

Gentlemen of the Oregon Legislative Assembly:

You have convened and duly organized the sixteenth regular session of the legislature of Oregon, and now, in pursuance of a duty imposed by the oath of office just taken, the following information touching the condition of the State and recommendations of necessary measures are submitted for your consideration. For more detailed information you are referred to the reports of the various State officers:

STATE INDEBTEDNESS.

January 1, 1887, principal and interest	\$ 95,217 69
January 1, 1889, principal and interest	29,411 66
January 1, 1891, principal and interest	2,335 35

The money for the payment of the indebtedness now existing is in the treasury. The outstanding bonds and warrants comprising it have been advertised, interest on them has been stopped years ago, and the probability is that they will never be presented for payment. The State of Oregon is therefore practically free from debt.

STATE EXPENDITURES.

	1885-6.	1887-8.	1889-90.
Governor's office	\$ 6,800 00	\$ 6,800 00	\$ 6,800 00
Secretary's office	7,850 00	9,651 11	10,450 00
Treasurer's office	4,200 00	5,220 00	6,187 50
Superintendent of Public Instruction's office	4,508 85	6,541 25	6,600 00
State printing, including binding and paper	32,092 08	31,072 99	36,660 85
Library code and reports	9,783 52	17,203 23	10,644 59
State land office	7,005 50	8,423 48	8,209 13
Legislature	49,159 29	41,089 63	41,990 63
Judiciary	66,431 12	77,034 53	86,462 44
Penitentiary	56,060 47	69,786 37	73,347 85
Asylum	131,920 26	148,137 42	176,168 91
Penitentiary improvement	91,964 82	10,992 81	4,680 21

STATE EXPENDITURES.—CONTINUED.

	1885-6.	1887-8.	1889-90.
Asylum improvement.....	51,506 00	62,791 54	102,803 23
Capitol improvement.....	96,429 55	36,343 75	14,087 58
Mute school.....	12,000 00	15,458 76	17,848 99
Blind school.....	11,115 51	10,121 67	8,742 76
Orphans' home.....	6,000 00	8,000 00	11,000 00
Agricultural boards.....	10,000 00	10,000 00	19,000 00
Health officers.....	2,800 00	3,545 54	3,983 53
Pilot commissioners and schooner.....	14,204 09	5,089 87	5,349 98
Dairy and food commissioner.....	3,901 48	2,112 50	3,356 99
Fish commissioners.....		12,192 82	6,538 93
Railroad commissioners.....		12,575 56	19,000 00
Agricultural college.....	14,644 49	21,125 11	64,475 14
University.....	29,063 76	26,921 00	34,471 47
Conveying convicts.....	10,137 18	13,182 95	14,128 51
Conveying insane.....	14,800 75	17,706 57	20,257 37
Incidental.....	17,942 66	24,990 88	25,150 00
Fugitive.....	6,984 32	3,000 00	5,139 21
Indigent.....	11,300 51	2,338 46	10,000 00
Wagon roads.....	25,000 00		116,000 00
Private claims.....	7,584 38	2,149 75	2,088 00
Oregon National Guard.....		16,805 49	33,823 56
Reform school.....			46,000 00
Horticultural board.....			7,000 00
Domestic animal commission.....			4,888 00
Weather bureau.....			1,800 00
Total.....	\$ 815,253 34	\$ 738,405 04	\$ 1,071,128 36

The amount for the last biennial term includes estimated deficiencies.

EDUCATIONAL FUNDS.

Following is a statement of the total amounts of the common school fund on January 1st of the years as mentioned:

1885.....	\$ 868,735 16
1887.....	1,059,403 01
1889.....	1,736,700 10
1891.....	2,203,554 96

The interest arising from such funds during the past few years has been distributed in the following amounts:

Year.	Per Capita.	Total.
1885.....	\$ 75	\$ 59,046 75
1886.....	90	74,571 30
1887.....	1 00	87,217 00
1888.....	1 25	108,217 50
1889.....	1 40	130,337 20
1890.....	1 45	144,372 75

There are also on the first of this year in the other trust funds amounts as follows:

Agricultural college funds, notes, cash, and due on certificates of sale.....	\$130,289 82
University funds, notes, cash, and due on certificates of sale.....	102,106 18

Total amount in the several trust funds on the first of this year:

Common school fund	\$ 2,203,554 86
Agricultural college	130,289 82
University	102,106 18
Total.....	\$ 2,435,950 86

The money belonging to these trust funds is loaned with scrutinizing care. A list of interrogations has to be answered by each applicant, thus giving a full description of the land and improvements. Careful attorneys are employed to pass upon the title and appraise the land. Only one-third of the amount of such appraisement is loaned. The board of land commissioners also invariably examines each application and supplements the judgment of the attorney with its own, and in repeated instances has, as their judgment dictated, reduced the amount applied for. No loans are made except on improved farm property. Under these conditions, and with these safeguards, these funds are as secure as it is possible to make them. During 1889 and 1890 they have increased to the amount of \$484,908.94.

SWAMP LANDS.

Swamp lands patented to the State in 1889 and 1890	100,719.22 acres
Swamp lands certified to the State in 1889 and 1890	90,137.10 acres
Whole amount patented	131,807.36 acres
Whole amount certified and not patented	*87,664.54 acres
Whole amount examined and not certified (approximate)	60,000.00 acres

There has been no examination of swamp lands by a State agent during the last two years, as by an agreement between the State and the interior department the report of the federal agent was to be considered as a final determination of the character of the land examined by him. The law relative to the sale of certain swamp lands passed by the legislative assembly and approved February 16, 1887, has been declared void by a decision of the federal court for the district of Oregon. From such decision an appeal has been taken to the supreme court of the United States, and as stipulation has been made to present the case on printed briefs, it is expected that a final decision will be soon reached.

STATE CHARITABLE AND PENAL INSTITUTIONS.

There can be no doubt but that the State of Oregon can be congratulated on the very excellent management of the State penitentiary and insane asylum. The assertion can be made without fear of successful contradiction that these institutions were never better managed than now. For the necessary details as to such management, reference can be had to the reports of the superintendents. The \$30,000 appropriated by the last legislature for the purpose

of purchasing an asylum farm have been most judiciously expended. Six hundred and forty acres of the finest of the farm lands of Oregon have been secured, about four miles from the capitol. The recommendations from the superintendents of both institutions as contained in their reports are worthy of your consideration. The trust confided to the board of education by the act of the last legislature in the expenditure of \$30,000 for the purchase of a reform school farm and the erection of a necessary building, has been faithfully executed. A farm of over 380 acres of land, upon which is a valuable water power, has been secured and the most attractive building in the State has been erected thereupon. In order to secure the erection of such building a deficit of about \$16,000 was necessarily incurred. It is now incumbent upon the legislature to make further enactments as to the management of such school. Steps should be taken to have the deaf mute school, which is an expensive mendicant upon the State treasury, placed under State control. It was formerly so, but through the manipulation of interested parties it was placed independent of it, and now, while it is supported by State funds, its management is entirely beyond the control of State officers, and the State auditor, whose duty under the constitution is to audit all accounts, has no control whatever over the expenditures of that institution. All institutions supported by the State should be under the control of the State.

STATE UNIVERSITY AND AGRICULTURAL COLLEGE.

The recommendation made to the last legislature, to the effect that no further taxation of the people in behalf of these educational institutions should be permitted, is renewed. No general tax should be levied which is not for the general benefit. It is proper to levy tax for the support of our common schools, as all classes of people in all localities can be benefited thereby. But it is different with the higher institutions. But comparatively few of the children of the State can be educated therein, and it is most unjust to tax the parents of those children who cannot be educated for the benefit of those who can. Furthermore, there are other high institutions of learning in this State, which have been erected and are now sustained by the generosity of some of our most liberal citizens, and it is cruelly unjust to tax those public-spirited individuals for the very purpose of building up rival institutions to those for which they have spent their money and in the success of which they are deeply interested. Besides this, these two institutions are now richly endowed and are quite well able, with proper management, to succeed without further appeal to the State treasury. The State university has now on interest more than \$100,000, arising from the sale of university lands, while the

agricultural college has an endowment of over \$130,000, arising from the sale of agricultural college lands donated by the general government to the State, in addition to which it is now in receipt from such government of \$30,000 per annum, and which is to be increased \$1,000 per year, until it reaches \$40,000.

It will thus be seen that these institutions are now liberally provided for, that they are abundantly able, by the entire abolition of free scholarship—a species of pernicious class legislation—and by the collection of a reasonable tuition fee, together with frugal management, to successfully compete with other high institutions that possess no other endowments than their just merits. It is urgently recommended that a change should be made in the formation of the board of regents of the agricultural college. As the law now stands, the Governor has the appointment of the members of this board and is also *ex officio* a member thereof. This is clearly wrong. A change in the law which would omit the Governor and Secretary of State as members of the board, and require that all of the members to be appointed should be practical farmers or business men, would be a wholesome one.

RIVER IMPROVEMENTS.

The board of United States engineers designated for the purpose of suggesting improvements at the dalles of the Columbia have estimated the cost of a portage railroad between The Dalles and Celilo, on the Columbia river, which, it says, would be adequate for the present commerce of the river, and which could be built in one year, at \$431,500. It has also estimated the full cost of a boat railway at \$3,575,356. If the building of the boat railway, instead of the portage railroad, should be determined upon, and if congress should make appropriations for it in the same manner that it has made appropriation for the canal at the cascades of the Columbia, it would take over thirty-four years—more than a third of a century—to witness its completion. The board of engineers recommended that the portage road should first be built, as it would open the river up speedily to commerce and would furnish a necessary auxiliary to the improvement of the river between the two points mentioned by other more extensive and more permanent improvements. But our delegation in congress, regardless of the suggestions of the engineers as to the advisability of a portage railroad, if a speedy opening of the river to commerce be desired, and apparently unmindful of the needs of our people for it, are laboring for appropriations for the boat railway instead of the portage railroad. No more suicidal policy in regard to the interests of Eastern Oregon in particular, and the whole State in general, could be prosecuted.

To enter upon a method of improvement yet in its experimental

stage, and which, if successful, will probably take a third of a century to secure its completion, when another mode can be adopted which would speedily open up that great thoroughfare to free commerce, is the very reverse of sound business policy. The great paramount interests of the whole State imperatively demand that this legislative assembly should issue positive instructions to our delegates in congress to procure an appropriation of \$431,500 for the building of a portage railroad around the dalles of the Columbia. Instructions should also be given for the appropriation by congress of about \$250,000 for the permanent deepening of the channel of the lower Columbia, as well as for the improvement of the upper Columbia and Willamette rivers. The breakwater at the mouth of the Columbia has effected a most marvelous change, and the expenditure of a quarter of a million of dollars in breakwaters along the lower Columbia, where its width now permits shoaling, would give a good and sufficient channel for large ships from Portland to the sea. This is a matter in which every wheat-grower and producer in Oregon is deeply interested, and it might not be amiss if the legislature should instruct Senator Dolph to forego the advocacy of his bill appropriating one hundred and twenty-six millions of dollars for coast defenses not needed, and to urge the expenditure of a quarter of a million of dollars for the improvement of the lower Columbia, which would add, for the farmer, at least one dollar to every ton of wheat exported.

THE WILLAMETTE CANAL AND LOCKS.

The State of Oregon, by an act of its legislative assembly, approved October 21, 1870, appropriated two hundred thousand dollars to aid a private corporation in building a canal and locks at the falls of the Willamette river, upon the express condition that the said corporation shall pay to the State of Oregon, for the benefit of the common school fund, ten per centum of the net profits arising from the toll collected for passing freights and passengers through said canal and locks, the rates of which were therein designated, and upon the further condition that "at the expiration of twenty years from the time said canal and locks are completed, the State of Oregon shall have the right and privilege to take and appropriate to its own use forever, the said canal and locks, upon the payment to the said corporation the actual value thereof at the time of taking and appropriating the same, which value shall be ascertained in such manner as the legislative assembly may hereafter prescribe." The twenty years will expire in the latter part of the year 1892. It is therefore incumbent upon this legislature to take the necessary steps in order to have the State avail itself of the great privilege guaranteed to it by the above provisions of law. Under State control no higher rate of

toll should be collected than would be necessary to operate the locks and keep them in good repair. In fact, by utilizing and leasing the very valuable water power now controlled by the locks, or which could be controlled by the just exercise of the right of eminent domain, if necessary, the State could receive sufficient revenue to open the locks to free commerce, besides furnishing a surplus for the State treasury for the benefit of the common school fund. The legislative assembly, as the law provides, shall prescribe the manner of fixing the sum to be paid to the company for the locks. Probably the fairest method, and one to which the company could certainly make no objection, would be to take the value fixed by the company itself, in its dealings with the State, under the law.

FISHERY INTERESTS.

At the last session of the legislature, three bills, passed at the instance of the board of fish commissioners, received the Executive veto and will come before you for consideration. Of that number, senate bill 135 reduces the fine for violation of the fishing law of the State from five hundred for the first offense and one thousand for subsequent ones to "a sum not less than fifty dollars nor more than two hundred and fifty dollars." This would be a change by which the opulent canneryman owning his own traps or fish-wheels could disregard the law on account of the small fine, and it would deter only the poor man who fished with nets.

There is also omitted in this bill that necessary provision in regard to the size of the mesh of nets and the regulation of traps. The conclusion is irresistible that the bill is in the interests of the opulent cannerymen, and the law, as it now stands with its stringent provisions, is much more just and efficient. The recommendation made to the last two legislatures for a law prohibiting the use of seines, fish-traps, and fish-wheels, is again urgently renewed. The legislature of Oregon should see to it that the greed of the present generation should not be allowed to ruin the fishing interests of our State. It should provide that but one mode of catching the salmon of the Columbia river should be allowed, and that mode should be by nets, available alike to the poor as well as to the rich. To allow the taking of the Columbia river salmon by seines, traps and fish-wheels is to virtually turn over the fishing industry to a monopoly of a few persons, some of whom, by having secured some eligible points along the river, have been enabled to take out over ten tons of salmon in one day by one wheel. No such undue privilege should be allowed by law. The hatchery at Clackamas having been turned over to the United States government and the State board of fish commissioners having examined the Columbia and its tributaries without finding a place "that will

hold any comparison with the Clackamas" for hatching purposes, obviates any further need of that expensive board and any further outlay for hatchery purposes. It is no more just to make special outlay for the fishing interests of the State than for any other particular interest, but if such outlay is to be made, an appropriation of five thousand dollars for a fish ladder at the falls of the Willamette is far more meritorious than the retention of an useless fish commission.

ASSESSMENT AND TAXATION.

One of the most important matters to engage your attention is the absolute necessity of a thorough and in some respects a radical change in our laws relative to assessment and taxation. As the law now stands, with but a mere nominal penalty and one difficult to enforce for a failure on the part of a taxpayer to give to the assessor a sworn statement of all his property, real and personal, it is impossible to reach but the merest fraction of personal property, thus allowing those possessed of money and other species of personal property to escape their share of the burden of taxation, thereby throwing a double burden upon the owners of real property. No amendment of our laws should be made without containing a provision that would secure beyond all peradventure the sworn listed statement from every taxpayer of his property, real and personal. Provision should also be made by which the State revenue could be raised directly from the people, entirely independent of county taxation. This would prevent that condition of affairs which now prompts a low assessment in each county, in order to prevent an unjust share of State taxation, and would also obviate the necessity of a State board of equalization-- an expensive instrumentality, which, as it would be entirely impossible for it to examine each piece of property which has been passed upon by the county assessors, would be necessarily impotent of performing fully and satisfactorily the duties assigned to it.

A sufficient State revenue, independent of any county levy, could easily be secured by requiring to be paid in the State treasury a poll tax of \$2 on every male person over 21 years of age, a graduated income tax on all incomes exceeding \$1,000, and a tax upon the gross receipts of express, telegraph, telephone and insurance companies. The law can be made so as to secure the full payment of all these taxes by making the production of a poll-tax receipt for the current year at the polls a required proof of the residence of the voter, and by the imposition of a heavy fine by the courts for a failure to give a sworn statement of the taxpayer's income, or of the various companies sought to be taxed. The law should be fixed also in all of its details so as to enforce that constitutional provision which requires the securing of a just valuation of all

property, real and personal, and for its uniform and equal rate, both of assessment and taxation. The exemption now allowed by law to every householder is apparently a reasonable one, and that provision which requires the taxation of money loaned on mortgages to be made in the county where it is so loaned is a just one.

There is the most grave doubt as to whether, under that provision of the fundamental law requiring an equal rate of taxation, the legislative assembly of this State can rightfully give authority to municipal governments, in charters granted to them, to impose any license tax whatever upon any business or vocation. An equal rate of taxation can be had upon all property, real and personal, and incomes, but a fixed license tax, demanded for the privilege of conducting business in certain callings, cannot be an equal tax, unless all other callings are equally taxed, and for the further reason that some persons paying the same license as others in the same calling may not be able to transact the same amount of business or derive the same amount of profit. And experience has also shown that these taxes are not placed where there is the best ability to pay and where justice demands that they should be placed, but as a rule the wagon of the poor expressman is taxed, while the carriage of the gentleman of wealth is untaxed, and the pawnbroker who deals with the most unfortunate classes of the community pays, while the banker who deals with people of means is exempted.

If the provision of law allowing deduction for indebtedness be retained, it would be well to inquire whether such deduction should be allowed for debts owing to national banks. No deduction is now allowed for debts owed to parties outside the State for the good reason that the corresponding credits cannot be taxed. For a like reason debts owed to national banks should not be deducted, as under the law of congress the State is permitted to assess only the shares and real property of such bank. No permission is given to assess the notes and accounts owned and held by them. The State assessors are therefore precluded from making the inquiry as to whether claims for indebtedness to such banks as may be made are real or fictitious. To deduct such claimed indebtedness would therefore leave the door wide open to fraud. If, then, deduction for indebtedness is allowed, the law should not only exclude all indebtedness owed outside the State, but also all that is non-assessable within the State.

RATE OF INTEREST.

If there be any change in the statute prescribing the legal rate of interest on money loaned, and forbidding usury, it should be only changed by fixing a lower rate with more rigorous provisions for its observance. The law ought not to be repealed. If

money was on an equal footing with other property, it would be unjust to pass any laws regulating its use which did not equally apply to all other property, but so long as it is clothed by law with an attribute which no other species of property possesses—that of being a legal tender in payments of debts—just so long it is no more than just that the law should regulate its use. Property favored by law should be controlled by law.

ABOLISHMENT OF OFFICES.

More than one hundred offices were created by the legislative assembly of the State at its last two sessions, exclusive of the officers necessary to put in operation the new counties made. There is no need of multiplying officers to prey upon the people. Instead of creating commissions for every conceivable purpose for each particular interest, and as representing the State, to exercise supervision over each one of our manifold industries and occupations, as is the tendency of modern legislative action, there should be at once a return to the old rule established by the wisdom and experience of centuries, of governing the various industries and interests of the commonwealth by well-established general laws, administered by the authorities designated by the constitution. The commonwealth should be governed by duly enacted laws and not by the edicts of unconstitutional commissions, and the law should be administered by the officers created by the constitution. All commissions for the enforcement of State laws ought to be abolished. If there be laws fixing the freight rates on railroads, there is no need of a railroad commission; the necessary laws regarding our fishing interests can be enforced by the executive and judicial departments, dispensing with all necessity of fish commissioners; the Federal government having passed an oleo-margarine law, dispenses, to a certain extent, with the necessity of a State food inspector, which officer, if so disposed, which the present faithful incumbent has not been, under the law as it now stands, like all commissioners endowed with power, could reap a private fortune without doing any material public good, and the negligence of fruit-growers could be punished as well without as with an itinerant inspector. The law creating a court reporter should also be repealed because of its tendency to monopoly. The various industries and occupations of our people should be controlled by general law, administered by the duly constituted authorities, and the swarm of special officers for special purposes, which are becoming as big a plague to our people as the frogs and lice were to the people of Egypt, should be abolished. The executive and judicial departments created by the constitution can administer the law, thus saving the extraordinary expense of these multiplied commissions. Let the laws creating the various

commissions be repealed, and an enactment made authorizing the Governor, in the event of a violation of law affecting public interests, to appoint a prosecuting witness to bring the offender into court for punishment, and the law can be administered more thoroughly than it is now under a divided responsibility. In order to still further reduce the taxation imposed upon the people in favor of office-holders, it would be well to pay all county officers fixed salaries, and compel them to turn all fees paid under the law into the county treasury.

SETTLED QUESTIONS.

Two very important questions were definitely settled by the people at the last election in this State, one of which was that the issuance of non-taxable bonds should never be authorized by the legislative assembly, and the other was the adoption of the Australian ballot system. All three political parties declared in favor of the ballot law as proposed by the ballot reform league of this State, and good faith will require of this legislature the speedy and unanimous passage of such law.

A registration law should be passed in connection with the Australian ballot law. The ballot law provides for the free expression of the voter, and a registration law should be passed in order to prevent a repetition of such expression by any one voter at the same election.

APPROPRIATION FOR FAIRS.

Under the law providing for the organization of a State board of agriculture, approved February 20, 1885, there is given to such board the possession and care of the property of the State agricultural society and the management of its entire business and financial affairs. There is now an incumbrance of about ten thousand dollars on the State fair grounds, the title of which is in the old agricultural society. It would be extremely advisable for the State to provide for the liquidation of such indebtedness upon the condition of the transfer of the title of such property to the State by the society aforesaid. By virtue of another provision of the act before mentioned, an annual appropriation of \$5,000 is made payable to the State board of agriculture, to be used in payment of premiums awarded by such board. At the last session of the legislature, upon the argument that the disbursement of such sum for premiums was, of necessity, somewhat local in its character, as the residents from the extreme portions of the State were not able to compete for them, and, as a matter of apparent equity, provision was made by law for the holding of two district fairs in Eastern Oregon and one in Southern Oregon, and an annual

appropriation of \$1,500 was made for each of such fairs. There is now, therefore, \$9,500 appropriated for premiums annually, and yet there is nearly the same reason for complaint as before. For instance, the report of the board of the First Eastern Oregon district agricultural society for the present year discloses the fact that the entire \$1,500 was distributed to only fifty-two persons in the vicinity of Baker City. It will thus be seen that the equitable distribution of money appropriated for premiums by the State has not even been attained by the multiplicity of fairs. Is it just that the citizens of Clatsop, Coos or Lake counties should be taxed for the purpose of raising the sum of \$1,500 to be paid to the fifty-two persons residing near Baker City as premiums on articles perhaps inferior to what they might have presented if equal opportunity had been afforded them? The plain rule of right demands that no tax should be laid by the government upon the people for any other purpose than the economical administration of government. And whenever this just rule is departed from, and taxes are laid upon all for the purpose of giving bounties to the few, it will sooner or later meet with popular disapproval. It cannot be denied that if the legislature of a State makes appropriations for such purposes, there is no power that can gainsay it, nor is there any special constitutional inhibition against it, but that law of justice which forbids that any one man should be taxed for the benefit of any other man, and which is equally as sacred as are the provisions of any constitution, ought to control the action of the legislature in this matter.

An effort, sanctioned by the State board of trade and by very many of the leading journals of the State, will be made to secure at the present session of the legislature an appropriation of \$250,000 to be expended in advertising the State at the Columbian Exposition, to be held at Chicago two years hence. Can such sum, or can any sum whatever be rightfully appropriated for such purpose from money collected by taxation of the people? If it is unjust to tax the whole people to raise money to be expended at fairs within the State, would it not be much more unjust to raise money by taxation to be expended for fairs without the State?

In this day, when the people are taxed for almost every conceivable purpose, Oregon would gain a wide and well-earned popularity among the over-taxed people of other States if it would refuse to levy any tax for any purpose except an economical administration of government. Such a refusal would be calculated to induce a large immigration thitherward.

LOCAL IMPROVEMENTS.

While there is no provision of the constitution forbidding the appropriation of money collected from a general tax for special

and local purposes, yet the proposition that the people of one locality should be taxed for the benefit of the people of another locality, is so manifestly unjust as to merit the most positive disapproval. No general tax should be levied for any other purpose than the general welfare. And when money collected from such a tax is appropriated for local improvements, such appropriation should only be made upon the express condition of a compensation by the collection of a sufficient toll or revenue from the improvements so made as to insure to the public treasury a fair interest upon the investment.

RAILROAD COMMISSION.

One of the first acts which should be performed by this legislature should be the repeal of the law providing for a board of railroad commissioners. As the law now stands sinecure positions at fat salaries are furnished to four men with no other duty of any practical result than a quarterly visit to the State treasury for their stipends. The law should be at once repealed. There is no place under our State constitution in the discharge of any State duty for a railroad commission or any other commission. Under our constitution all the powers of government are conferred upon the three departments—legislative, executive and judicial—created by it. There is, therefore, no provision or excuse for a railroad commission. The power to regulate freight rates on railroads cannot be conferred upon it because that is a power delegated to the legislature by the people under the constitution, and it is a well-established rule of law that delegated power cannot be again delegated by the agent. Nor can the power be given to it to enforce the law in regard to railroads. Section 10 of article 5 of our State constitution, referring to the prerogatives of the Governor, expressly declares that “he shall take care that the laws be faithfully executed.”

The power therefore to execute the laws is given to the Executive, and cannot rightfully be taken from him. Nor can a commission be endowed with any power to adjust questions at issue between railroads as common carriers and others, for the reason that such adjudication would be an exercise of judicial power, which under our fundamental law is “vested in a supreme court, circuit courts and county courts.” There is therefore no place whatever for a railroad commission in our State government, and that expensive and useless board should be at once abolished. The recent railroad disaster within the State discloses the utter uselessness of such a board. The testimony gathered by such a board in regard to such a matter is of no avail, inasmuch as the testimony which will be hereafter taken in our regular courts of justice—the tribunals designated by law for such purposes—will

be taken without any regard to any action held by any board. And, finally, if it be desired that an examination by authority of the State be made annually or semi-annually of the bridges and roadbeds of the various railroads of the State, an expert in such matters to be appointed by the Governor, who would make on foot a thorough examination of such roads, would be much more effective of good than the examination of a dozen railroad commissioners made from the windows of palace cars.

LAW REGULATING MONOPOLIES.

Laws should be passed fixing the maximum rates to be charged by the railroad and telegraph companies within the State, and the legislative bodies of all incorporated cities should have the power conferred upon them to fix the rates to be charged by all monopolies within corporate limits, such as gas, water, telephone, and electric light companies. Laws should also be passed preventing by the imposition of heavy penalties any discrimination whatever by common carriers, in either freight or passenger transportation, or in the charges of telegraph, telephone or other monopolies.

In order to secure reasonable charges for the towage of vessels from the open sea into the Columbia river, by which the commerce of our State would be increased, and the cost of the transportation of our exports to foreign markets would be materially lessened, to the direct benefit of the producers of the entire State, it would be extremely advisable for the State itself to provide by law for the building of two steam tugs, to be operated by the State in connection with the pilot schooner now owned by the State, charging only for the towage of vessels such rates as would merely pay the interest on the investment, the current expenditures and the other necessary outlays for keeping the tugs in good repair. Let this be done, and let the Columbia at the cascades and the dalles and the Willamette at the falls be opened to free commerce, and all monopolies upon our transportation facilities would be completely disarmed and removed by open and free competition. Such methods are much more effective of reasonable charges than are the rates fixed either by statute law or railroad commissions, and the necessary outlay for such provisions for the cheap transportation of our products to foreign markets, uncontrolled by monopolies, would be much more effective in inducing immigration than twice or thrice the amount expended in advertising our State in any fair to be held beyond its borders.

The enactment of another statute in regard to corporations engaged in railroad transportation is emphatically demanded by every instinct of American manhood. It has become a too frequent occurrence, in the event of a difference between railroad corporations and their employes, as to the matter of wages or of just

treatment, for such corporations to surround themselves with a hireling soldiery, unknown to the law, at variance with the law and defiant of the law. In controversies of all kinds between such corporations and their employés, arbitration is the fairest mode of settlement, and it ought to be provided for by statute law; but where it is not so provided for, where the parties are compelled to settle their difficulties without legal arbitration, a stringent law should be passed for placing them both on an equal footing by preventing the one party from pointing the rifles of its hired assassins at the stomachs of the other party pending the settlement of such difficulties. Such unfair advantage is liable to secure an unfair adjustment. The law should intervene in behalf of justice. There can be no doubt whatever but that the presence of armed forces within the State other than the forces recognized by the laws of the State would be an invasion within the meaning of the constitution which would amply justify the Governor, as commander-in-chief, in pursuance of the provisions of our fundamental law, in calling out the military force of the State to disarm and deport them, but it would much better become a civil government to provide by the enactment of proper statutes for the arrest by civil officers and the punishment by the courts of any wanton invasion of a free government by armed forces in the employment of corporations.

The recommendation that a maximum rate law in regard to freights on railroads should be enacted, which was made at the last two sessions of the legislature, securing justice alike to the railroad corporations and the people, is again earnestly renewed. Recent events showing a tendency to a great consolidation of railroad interests in one gigantic trust controlling all of the principal roads of the country, and thereby destroying all hopes of that healthy competition which alone is conducive of fair rates, must convince the most skeptical, if past experience has not already done so, that the time has at length arrived when the legislative assembly of Oregon should exercise itself and not by any illegal proxy the plain duty imposed upon it of protecting the people of this commonwealth against the unjust exactions of common carriers. Nor is this at all a difficult task, as experience has furnished a safe guide. The rates established in Iowa and acquiesced in by both the railroad companies and the people will furnish an approximate basis upon which to frame the proposed law. Both the passenger and freight rates within the States should be fixed at figures very nearly corresponding with general rates in other States, and any and all discrimination in either should be effectually prohibited. In case of a violation of such a law on the part of the corporations, the Governor should be authorized to enforce the law by bringing the violators before the

courts, through the instrumentality of a prosecuting witness on behalf of the State.

A most stringent law should also be enacted compelling all contractors and sub-contractors on any work for railroads or other corporations to make weekly payments to their employés and laborers, either in cash or by orders on the corporations, which orders shall be promptly paid in cash upon their presentation. The great necessity for the passage of such a law has been emphasized within the last month by the cruel and shameless treatment of laborers upon a railroad in a neighboring State, who in mid-winter were not only without notice suddenly deprived of employment, but were compelled to wait for weeks for the pittance due them or suffer a ruinous discount upon the scant returns of their hard labor. Such flagrant injustice merits the most condign punishment that the law could possibly inflict.

INTERFERENCE WITH STATE LAWS.

Within the last six months a judge of the inferior Federal court for the district of Oregon, in a case brought by a citizen of California against the board of land commissioners for the State, which board consists of the Governor, Secretary of State and State Treasurer, has presumed to have and to exercise the power to declare a statute law of the State, passed in pursuance of the forms and requirements of the State constitution, to be void and of no effect within the State, and has had the further presumption to attempt to prevent the officers of the State from obeying the law, by an injunction forbidding them from so doing. The proper thing for the board to have done in the dilemma when the statute law of the State bade it to pursue one course and the mandate of an inferior federal court bade it to disregard the law, would have been to obey the law of the State, but as the board was not unanimous in this regard, no action had been taken in the premises further than an appeal from that decision to the supreme court of the United States. A subsequent decision was rendered in the same court within the last two months by which an offender against the laws of the State, who was held under arrest by virtue of a process of the State courts, was taken from its custody on writ of *habeas corpus* and set at liberty, the Federal judge passing upon the facts and holding that they did not justify his arrest by the State courts.

There is now no longer any use in shutting our eyes to the great present and impending peril which threatens our free and constitutional form of government. The nice balance of powers between the State and the federal government has become nearly destroyed by the usurpation of power and jurisdiction on the part of the federal courts. This usurpation, although becoming more burden-

some and unbearable, has to a certain extent been exercised for nearly a century, and rests upon the unfounded claim of the supreme court of the United States that the power to declare a law void was a judicial power, when in fact it is nothing else than a purely legislative prerogative. The power to repeal an enactment of the law-making power by a decision of a court declaring it to be void, in all the history of all civilized peoples has never been claimed or exercised until it was usurped by the federal supreme court. And that the claim of such power as judicial was clearly without foundation no careful student of constitutional history can for one moment deny. By reference to the debates in the convention which framed the federal constitution (5 Elliott, 483) it is clearly demonstrated that the jurisdiction of the federal court, under article 3, section 2 of such instrument, upon which this unfounded claim alone rests, was intended by the framers of that instrument to be limited to "cases of a judiciary nature." It was not then even supposed by any member of that body, many of whom were able common-law lawyers, that under such provision the court could exercise the purely legislative prerogative of repealing or nullifying either an enactment of congress or of a State legislature by declaring it to be void. And the exercise of this usurped legislative power of the courts, becoming more and more frequent with each recurring year, is bringing inextricable confusion in our jurisprudence; it is subversive of that order which is the fair consequence of well-established law; it is inimical to the peace of society and the security of property; it is a reproach to an intelligent people and justly subjects a nation acquiescing in it to the derision of the civilized world.

The danger and confusion arising from the claim on the part of the federal courts of the power to not only set aside the law of the State within the limits of the State, but also to wrest from the jurisdiction of the State courts persons clearly held under such jurisdiction by virtue of State laws and turning loose upon the community untried criminals, has become more than doubly increased within the last year, for the reason that within that period the supreme court of the United States, by virtue of the power to negative laws claimed by it, and the exercise of which power has been acquiesced in by the other departments of the government and the people, has to all intents and purposes radically changed our form of government. Within the last year that court has reversed its own decision in the granger cases, and now holds that the federal courts, rather than the legislatures of the several States, have the power to fix as reasonable the rates to be charged by common carriers within State limits (134 U. S., 418); it has also reversed its own decision in another respect and now denies the right of a State to exercise its reserved police power to prevent the sale within State limits of articles deemed inimical

to the public welfare, which has heretofore been held sacred (135 U. S., 100); it has again reversed for the second time its own decisions in the celebrated Virginia coupon cases, and now holds that the State officers in the enforcement of State laws are liable to punishment by the federal courts, if in the judgment of such courts such laws are not as they ought to be (135 U. S., 162), and worst and most infamous of all, is its decision that the State is to be denied the exercise of its police power for the punishment of a certain class of murderers within its limits, by setting at liberty the secret, armed assassin, who accompanied a federal judge in California, and who shot down in cold blood an unarmed citizen of that State, declaring the startling doctrine that "any duty of the marshal to be derived from the general scope of his duties under the laws of the United States" is "a law," thus placing it within the power of the president or his attorney general, without authority of a statute law of congress, to keep body-guards for every federal official, which guards can wantonly shoot down the unarmed people of the State, and through the exercise of the writ of *habeas corpus* by the federal courts, can be shielded from the punishment of their crimes. (135 U.S., 1.)

- The plain and undeniable deduction from these decisions of the supreme court of the United States is that if the inferior federal courts are to be retained to exercise power and jurisdiction within State limits, the further continuance of State governments is entirely unnecessary, and is really a fraud upon the people. The logic of these recent decisions is plain and conclusive, and it is to the effect that State governments should be abolished or that the law creating federal courts within State limits be entirely repealed, or so changed as to limit them exclusively to cases of admiralty and maritime jurisdiction. To leave such inferior courts within State limits to exercise the jurisdiction now claimed by them is simply to acquiesce in a virtual annihilation of State governments. This result will never be tolerated by the free people of this country. There is then only one logical alternative. The inferior federal courts are not the creatures of the constitution, but of congress. Congress made them and congress can unmake them, and the bold and wanton usurpation of power by them is a startling warning to the people that the time has fully come when congress should unmake them. The legitimate powers that they exercise could be well exercised by the State courts, with appeals as now to the supreme court of the United States, and this confusion arising from a clashing of jurisdiction between the federal and State courts and between the federal court and the legislature, which is now making us the laughing-stock of the whole world, could be obviated.

Gentlemen of the Legislative Assembly of Oregon: There is no duty so imperative upon you as is the duty to instruct our delega-

tion in congress to labor either for the entire abrogation of the federal inferior courts or for their restriction to cases of admiralty and maritime jurisdiction. That there is urgent necessity for this, you cannot for one moment doubt. The people expect you to change our laws in respect to assessment and taxation. Of what advantage will be the most equitable enactments in that regard if the federal court will, as it has done three times within the last few years, interfere and declare certain portions of such laws to be void. The legislature of Oregon, at its fourteenth regular session, enacted a law authorizing the board of land commissioners to sell certain lands. The federal court has declared the law void, and has assumed to enjoin the three highest administrative officers of the State from obeying and enforcing the law. Previous legislatures have attempted, and it undoubtedly is your purpose, as it is your duty, to pass laws regulating monopolies, but of what avail will such laws be, if the federal courts, as it is claimed, can set them aside at their pleasure? The people of this State are guaranteed protection under the constitution in the courts for life and property by the punishment of criminals, but such guarantee is of no purpose if the federal court within the State, by writ of *habeas corpus*, can take such criminals from out of the jurisdiction of the State courts, and set them at liberty.

The humiliating spectacle of an utter disregard by an inferior federal court of the enactments of a sovereign State, and the processes of its courts, has already offended a free people too long. One hundred and fourteen years ago our patriotic forefathers declared that the American colonies "are and of right ought to be free and independent States," and yet at that time those colonies were not subjected to the humiliating tyranny by the British crown that the States now suffer from the federal courts. It is your duty to declare again in favor of the freedom and independence of the United States under the constitution, by demanding that congress shall, by law, materially restrict the jurisdiction of the federal inferior courts, or, what is much better, entirely abolish them.

NECESSARY FEDERAL LEGISLATION.

As the people of Oregon are as materially affected by federal as by State legislation, it is perfectly proper that the legislative assembly, by joint resolution, give instructions to our delegation in congress concerning measures of federal legislation affecting the people of this commonwealth, especially in regard to the following matters of great importance: More stringent legislation for the exclusion of the pauper hordes of China; the imposition of a graduated income tax by which the wealth of the country, now entirely exempted, will be compelled to bear its just share of the

public burden ; the further adjustment of our revenue laws by which all tariff taxation shall be removed from the necessities of life and placed alone upon luxuries ; the forfeiture of all railroad land grants not earned within the time required by law ; provision for the forfeiture of the charters of the several bond-aided Pacific railroad companies for their non-compliance with law, and for either the sale of such roads to realize payment of the debt owing to the United States or for the assumption of ownership and management thereof by the government ; a postal telegraph by which the government in the exercise of its constitutional functions can relieve the business of its own departments and the business of the country from the exactions of a most unscrupulous monopoly ; unalterable opposition to the granting of subsidies upon any pretext whatever ; unyielding resistance to the control of the ballot box by federal judges ; the abolition of the federal inferior courts, or the very material restriction of their jurisdiction ; the free coinage of silver ; the issuance by the government direct of all money of the country ; the denial to the national banks of the special privilege now granted them of being furnished with money without interest ; the discontinuance of the unjust policy adopted by the last federal administration and followed by the present one of placing with the banks a large portion of the surplus, wrung from the people by unnecessary taxation, without any charge for interest ; the providing for the loaning of money by the government upon the improved farm property of the country, as is now successfully done with more than two millions of the educational funds of Oregon, at a low rate of interest, for the benefit of the many, and the discontinuance of loans to the banks upon what the government owes, without interest, for the enrichment of the few.

CONCLUSION.

There can be no more commendable way for us who have been entrusted with the law-making power of this commonwealth to show our gratitude to our constituency for the trust confided to us than by the enactment of wise and necessary laws. Let us act in the fear of God and without the fear of man, always mindful of the cardinal rule, that no tax should be laid upon the people that is not equal, or for any purpose other than a frugal administration of the government in its full conservation of the general good.

SYLVESTER PENNOYER.



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